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Human rights principles and defenders' role in just transition pathways

An advocacy brief for COP30



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Authors and co-signatories

- The **International Federation for Human Rights (FIDH)** is the oldest global network dedicated to defending and promoting all human rights – for all, everywhere. FIDH is a federation of nearly 200 organisations in more than 115 countries working together to protect, support, and raise the voices of human rights defenders and victims through investigation, prosecution, and advocacy.
- **The Observatory for the Protection of Human Rights Defenders** was established in 1997 by FIDH and the World Organisation Against Torture (OMCT). This partnership supports and protects human rights defenders around the world, so that they can protect human rights for us all. Observatory activities include systematic alerts, trial observation, fact-finding and solidarity missions, the publication of reports, and advocacy. FIDH and OMCT are both members of ProtectDefenders.eu, the European Union mechanism for human rights defenders implemented by international civil society.
- **Acción Ecológica** is an environmental organisation in Ecuador that has been working for 40 years to defend human rights and nature, and a pioneer in the global campaign to leave oil in the ground in order to effectively tackle climate change.
- **Alliance pour les Droits des Femmes Mauritanienes (ADFM)** is an organisation based in Mauritania whose aim is to combat gender-based violence, specifically the elimination of female genital mutilation and of the practice of force-feeding. ADFM seeks to ensure gender equality and the empowerment of women and girls.
- **Association Marocaine des Droits Humains (AMDH)** strives to promote a culture of respect for human rights through education and awareness-raising. It monitors human rights violations committed in Morocco and provides legal assistance to victims.
- **Association Mauritanienne des Droits de l'Homme (AMDH)** is the leading human rights NGO in Mauritania. It was founded in 1991 to stand up against human rights violations in the country.
- **Asociación Pro Derechos Humanos de España (APDHE)** is Spain's first human rights association. It played a leading role in the country's transition to democracy. Today, it is one of the most dynamic actors in the defence of peace and international law, women's rights, migrants' rights, and the environment, as well as in demanding respect for human rights from authorities and companies.
- **Centro de Estudios Legales y Sociales (CELS)** is an Argentine human rights organisation created in 1979, which promotes the protection of rights and their effective exercise, justice, and social inclusion, at the national and international level.
- **Lawyers for Human Rights (LHR)** is a non-governmental, non-profit organisation that provides legal advice, assistance, and representation to poor, marginalised, and vulnerable individuals and communities within South Africa and the Southern African region. At its core, LHR's mandate is to support the deepening of democracy and the entrenchment in society of core constitutional values including equality, non-discrimination, and respect for human dignity, as well as to promote the realization of economic, social, and cultural rights for all. This is critical to the development of a culture where human rights and social justice thrive, and where access to justice is guaranteed to all.
- The **League for the Defence of Human Rights (LADO)** is the oldest human rights organisation in Romania, established in 1990 to promote, protect, and defend human rights for all Romanian citizens. Its main activities consist of information and advice, promotion of human rights by all means, and civic education in the field of fundamental rights and liberties.

- The **Ligue des droits de l'Homme** (LDH – Human Rights League) is an independent association committed to defending the rights and freedoms of all. Among its many causes, it fights against xenophobia in all its forms and defends equal rights, particularly for foreign nationals, and fraternity as the foundation of a society based on solidarity. It defends the right to a healthy environment and reminds us that environmental struggles must be accompanied by social justice. It carries out its activities throughout France through its local branches and thanks to its members, who provide permanent access to legal services, challenge public authorities and international institutions, observe police practices or practices related to freedoms, and intervene in schools.
- **Les Mémes Droits pour Tous (MDT)** is a civil society organisation created in 2006, actively working to defend and promote human rights in Guinea and specialised in the field of criminal justice. MDT provides legal and judicial assistance to thousands of victims of illegal and/or abusive detention, gender-based violence, and torture, as well as to populations impacted by major mining projects.
- **Observatorio Ciudadano** is a non-governmental organisation based in Chile and devoted to the advocacy, promotion and documentation of human rights. It was founded in 2004 as the Observatorio de Derechos de los Pueblos Indígenas (Indigenous Peoples' Rights Watch). Since 2008, its mandate has broadened to addressing new challenges, including environmental rights, business and human rights, always oriented by the guidelines contained in international human rights instruments.
- **Organisation guinéenne de défense des droits de l'homme et du citoyen (OGDH)** was founded in 1990 to promote, protect and defend human rights in Guinea. It has observer status at the African Commission on Human and Peoples' Rights. It has representatives throughout the country and participates in all legal reforms.

Supporting organisations

The following FIDH member organisations support the content of this advocacy brief:

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Introduction: just transition stakes at COP30

As COP30 approaches, negotiators face critical decisions on just transition pathways and civil society participation. This brief analyses why specific human rights language in the key draft texts must be preserved to ensure transitions that genuinely protect communities and defenders while advancing climate goals. Current draft language represents hard-won recognition of human rights principles essential for legitimate, effective climate action, and these must be preserved and strengthened.

The climate emergency demands urgent decarbonisation, but not at the expense of human rights or through perpetuating systemic injustices. Just transitions must be grounded in human rights obligations, protect civic space, and ensure meaningful participation of affected communities and human rights defenders who drive real climate solutions.

Over the past years, the notion of “just transitions” has gained increased attention and prominence in climate policy conversations. Various programmes both within and outside the United Nations Framework Convention on Climate Change (UNFCCC) have developed, and it is becoming widely recognised as essential for creating successful paths for workers, communities, and nations.

Following the establishment of the Just Transition Work Programme (JTWP) at COP27 in 2022, just transition negotiations expanded significantly in both scale and ambition, creating heightened expectations that COP30 in Brazil will produce tangible decisions that promote just transition approaches through global collaboration. However, the notion of “just transitions” is also co-opted by many actors, including businesses and States, to include actions that do not respect human rights and the planet and only contribute to upholding a problematic situation.

At a time when multilateralism faces serious difficulties, just transitions could present an opportunity to address widespread public needs and concerns, on the condition of being grounded in human rights-based approaches and approaches based on the rights of Nature as one of the legal and symbolic tools and democratic initiatives aiming to preserve ecosystems through commons.

COP30 presents an opportunity to put this vision at the heart of negotiations. The transition cannot and must not replicate existing injustices, nor can it undermine the rights and voices of the human rights defenders and frontline communities.

Ahead of COP30, this advocacy brief aims to offer an overview of the current state of transition initiatives around the world, drawing on the experiences, documentation, and expertise of the International Federation for Human Rights (FIDH) and its member organisations. The paper is further based on desk research from FIDH and its members, as well as individual cases addressed within the framework of FIDH's Observatory for the Protection of Human Rights Defenders (a joint partnership with the World Organisation Against Torture). This paper also builds on the recent Resolution on Just Transition adopted by the FIDH Congress in Bogotá on the **xxxx**.

Being far from exhaustive, the brief seeks to present and assess cross-cutting issues, positive trends, and current obstacles to the realisation of transitions that are truly fair and just while effectively overcoming a fossil fuel-reliant model. To inform and frame its analysis, this paper also defines key concepts grounded in the international human rights framework that can serve as both a measuring tool and a compass to guide just transition pathways developed and enacted by all concerned actors. It also demonstrates why the recognition, participation, and protection of human rights defenders are essential to realise just transition pathways.

What do we mean by just transitions – or just transition pathways?

The concept of "just transition" originated in the 1970s within the labour movement, particularly among trade unions and workers in the fossil fuel industry, who were concerned about job losses as fossil fuel phaseout was starting to be considered.

The concept gained prominence when it was included in the outcome document of the 2012 UN Rio+20 Earth Summit. The Paris Agreement, the central instrument of climate policy, also references the term in its preamble in regard to workers. More broadly, however, the preamble identifies key elements that, when considered together, provide a foundation for this concept. First, it notes the importance of ensuring the integrity of all ecosystems, including oceans, and the protection of biodiversity, recognised by some cultures as Mother Earth, and it introduces the concept of "climate justice" when taking action to address climate change. Second, it insists on justice among States by acknowledging "the specific needs and special circumstances of developing countr[ies]", particularly "those that are particularly vulnerable to the adverse effects of climate change." It emphasises the importance of "sustainable lifestyles and sustainable patterns of consumption and production, with developed country Parties taking the lead" in addressing climate change. It makes several references to common but differentiated responsibilities of States in historical emissions and in their contributions to addressing the climate crisis. Third, it refers to the need for justice within States by affirming that Parties should "respect, promote and consider [...] the rights of Indigenous Peoples, local communities, migrants, children, persons with disabilities and people in vulnerable situations and the right to development, as well as gender equality, empowerment of women and intergenerational equity".

Over time, the concept has therefore expanded to include a broader scope of social and environmental justice issues that climate policies can affect. This more inclusive interpretation views environmental degradation as one of several signs of a larger crisis, and therefore allows for addressing the root causes of climate change, the destruction of ecosystems and biodiversity, and increasing inequalities fostered by a fundamentally unfair and flawed economic and financial system.

Accordingly, just transition is understood as a series of context-dependent, whole-of-society and multisectoral pathways driven by a vision to shift away from an unjust economic and social system. This new paradigm means moving towards an environmentally safe space that does not overshoot planetary boundaries and simultaneously puts all its resources towards the realisation of human rights and dignity.

Underpinning principles for just transition pathways

Over the past decade, the normative development around just transition issues has blossomed. Committees, newly-created panels, and courts linked to international and regional institutions have provided authoritative interpretations of the law in the transition context – from affirming the fundamental role and protection needs of environmental human rights defenders to establishing the right to care, and the right to a healthy environment. Through this work, environmental action and just transition pathways are grounded in human rights law and therefore measurable on the basis of well-established benchmarks and duties. The growing support for the recognition of the rights of Nature adds an ecocentric lens to just transitions by framing Nature not as a commodity, but as a subject of rights that should not be subordinated to growth-driven considerations. Such a trend has similarly inspired direct action by a highly organised and specialised strategic litigation movement that seeks to test the law's application and develop jurisprudence in favour of affected individuals and communities, as much as mandatory transition plans for big polluters.

Because each transition process is dependent on a context, the organisations co-signing the present brief refer to the terms **"just transitions"** or **"just transition pathways"**. All just transitions – or just transition pathways – shall be grounded in human rights obligations, standards and principles as a foundation, and count on the recognition, meaningful participation, and protection of human rights defenders (see Recommendations).

From Bonn SB62 to Belém COP30: the informal note on the Just Transition Work Programme (JTWP)

At the June 2025 UNFCCC meeting in Bonn, an informal note on the Just Transition Work Programme (JTWP)¹ was discussed by negotiators and forwarded to COP30 in Belém for finalisation and adoption. Despite some pending disagreements, this represented a promising step in comparison to the stalling at COP29, where governments failed to agree on a decision on how to frame a just transition that is fair to workers, protects nature and human rights, and promotes clean energy access.

Paragraph 11 of the draft still explicitly stresses the importance of grounding just transition pathways in human rights norms and standards. It recognises in particular:

- **That just transition pathways are determined at the national level** in a nationally determined manner through national climate plans, policies and strategies, including Nationally Determined Contributions, National Action Plans, and Long-Term Low Emissions Development Strategies;
- **The importance of ensuring broad and meaningful participation involving all stakeholders**, including workers affected by just transitions, informal workers, people in vulnerable situations, Indigenous Peoples, local communities, migrants and internally displaced persons, people of African descent, children, youth, elderly people, persons with disabilities, to enable effective, inclusive and participatory just transition pathways;
- **That multi-stakeholder, people-centric, bottom-up, whole-of-society approaches are required** to achieve just transitions;
- **The importance of education systems and skills development, including through upskilling and reskilling, of labour rights and social protection systems**, and of consideration of **the informal sector, the care economy**, unemployed people, and future workers for ensuring a just transition of the workforce;
- The multisectoral and multidimensional nature of just transitions and the resultant need for **whole-of-economy approaches to just transitions** that engage the private sector, including micro, small and medium-sized enterprises, and that contribute to the creation of green and decent jobs;
- **The importance of gender- and human rights-based approaches to just transition pathways that respect, promote, and fulfil all human rights**, including, but not limited to: the right to health, the right to a clean, healthy and sustainable environment; the rights of Indigenous Peoples, local communities, migrants, children, persons with disabilities and people in vulnerable situations; as well as gender equality, the empowerment of women, and intergenerational equity;

¹ UNFCCC, INFORMAL NOTE on SBSTA 62 agenda item 8 / SBI 62 agenda item 8 United Arab Emirates just transition work programme - Version 25/6/2025 22:00.

- The importance of **adaptation and climate resilience** in the context of just transitions, ensuring that efforts in these areas are aligned with just transition pathways and take into account diverse national circumstances and development priorities;
- The importance of **locally-led adaptation and social protection** in the context of enhancing adaptation and climate resilience aligned with just transition pathways;
- **The connection between just transition pathways and ensuring the integrity of all ecosystems and protection of biodiversity**, recognised by some cultures as Mother Earth, including through the use of "ecosystem-based adaptation approaches and nature-based solutions".

On the importance of facilitating **universal access to clean, reliable, affordable and sustainable energy for all**, the draft proposes three options:

- Option 1: The importance of facilitating universal access to clean, reliable, affordable and sustainable energy for all, including through the scaled-up deployment of renewable energy and access to clean cooking, and that such efforts may **promote energy security and present significant socio-economic opportunities associated with transitioning away from fossil fuels** in a just, orderly and equitable manner, while acknowledging that pathways to energy transitions will vary by country in accordance with national circumstances;
- Option 2: The importance of facilitating universal access to clean, reliable, affordable and sustainable energy for all, including access to clean cooking, and that such efforts may promote energy security;
- Option 3: *{no text}* It would consist in not explicitly defining what energy sources would be accepted under just transitions, pending a lack of consensus among negotiating parties.

The same JTWP informal note contains paragraphs 24 and 25, which recognise respectively:

- **The importance of means of implementation, including capacity-building, climate finance**, and technology development and transfer, as well as **international cooperation**, for facilitating developing country Parties in pursuing just transition pathways that promote sustainable development and the eradication of poverty, and that high debt burdens can hinder those Parties in pursuing just transition pathways;
- That **scaling up new and additional grant-based, highly concessional finance and non-debt instruments remains critical** to supporting developing countries, particularly as they transition in a just and equitable manner.

Throughout section A of this paper, the endorsing organisations aim at informing COP30 negotiators on the importance of maintaining and building on key subparagraphs in paragraph 11, relying on human rights and environmental rights norms and principles, past and current institutional developments, as well as lived experiences from FIDH's member organisations. Rationale on the importance of paragraphs 24 and 25 is also outlined.

1.1 On universal access to clean, reliable, affordable and sustainable energy transitioning away from fossil fuels

The imperative to opt for explicit language on moving past fossil fuels

The draft JTWP decision offers three options for language on universal energy access, with Option 1 being the only version explicitly mentioning "transitioning away from fossil fuels in a just, orderly and equitable manner." Building on this language to call for a full fossil fuel phaseout is crucial for several reasons: it makes important advances on the COP28's agreement, acknowledges the scientific necessity of a phaseout, echoes international courts' authoritative opinions (see below), and prevents any attempts to co-opt renewable energy narratives while maintaining fossil fuel dependence.

Legal and political momentum for transition away from fossil fuels

International Court of Justice (ICJ) recognises States' legal obligation to phase out fossil fuels

After years of campaigning by Pacific Island students, NGOs, and champion governments, the ICJ's July 2025 advisory opinion established that states have obligations under international human rights law as well as climate treaties to take all the necessary measures to protect the climate system and other parts of the environment. Crucially, the Court found that fossil fuel production, consumption, licensing, and subsidisation can constitute breaches of climate obligations.² This creates a legal foundation for maintaining explicit fossil fuel transition language in UNFCCC decisions, as such language reflects existing international legal obligations rather than aspirational goals.

Investor-state disputes put into question as creating legal barriers to climate action

The Energy Charter Treaty and similar agreements have enabled 349 fossil fuel-related investor-state disputes worth \$82.8 billion in awards. These mechanisms allow corporations to sue governments for climate policies that affect their profits, creating chilling effects on ambitious climate action. A report of the Intergovernmental Panel on Climate Change (IPCC) identified the ECT and similar treaties as "being able to be used by fossil fuel companies to block national legislation aimed at phasing out the use of their assets".³ Successful campaigns for EU and UK withdrawal from the ECT demonstrate growing recognition that trade agreements must align with climate goals rather than impede them.⁴

Fossil Fuel Non-Proliferation Treaty under discussion, with the leadership of the Global South and civil society

16 countries, led by Pacific Island nations, now support negotiating a Fossil Fuel Non-Proliferation Treaty⁵ to accelerate a transition to renewable energy for everyone, end the expansion of coal, oil, and gas, and equitably phase out existing production. This initiative, supported by 3,997 civil society organisations, demonstrates global momentum for explicit fossil fuel phaseout frameworks. The movement's origins in Pacific climate activism highlight how frontline communities drive policy innovation that high-income countries must eventually adopt.

2 ICJ (2025), [Advisory Opinion: Obligations of States in Respect of Climate Change](#).

3 IPCC (2022), [Climate Change 2022: Mitigation of Climate Change](#).

4 In 2022, five young people affected by climate disasters filed a lawsuit with the European Court of Human Rights against 12 European states for allowing the ECT to hinder their transition away from fossil fuels. The complaint was withdrawn from consideration after 5 countries targeted officially notified their withdrawal from the ECT. Furthermore, an extensive civil society campaign succeeded in pressuring both the EU and the UK to officially withdraw from the ECT in 2024, signalling a stepping stone towards aligning energy policy with international climate goals.

5 See the webpage of the [Global Network for a Fossil Fuel Treaty to Manage a Global Transition to Safe, Renewable & Affordable Energy for All](#).

1.2 On national-level determination of just transition pathways

The critical link between national determination and human rights protection

Paragraph 11 of the draft JTWP text recognises that "just transition pathways are determined at the national level in a nationally determined manner through national climate plans, policies and strategies, including Nationally Determined Contributions, National Action Plans, and Long-Term Low Emissions Development Strategies". This principle is crucial but must be read in conjunction with the above-mentioned subparagraph on universal access to clean, reliable, affordable and sustainable energy transitioning away from fossil fuels. It also requires robust human rights safeguards and meaningful consultation of stakeholders such as environmental rights defenders and Indigenous Peoples to prevent co-optation by governments and corporations seeking to legitimise harmful practices and false solutions under the "just transition" label.

Nationally Determined Contributions (NDCs) are due this year for the first time since 2020. If they are ambitious enough, they could chart a path toward a safer and more livable future for everyone. As of 9 September 2025, around 30 countries and territories out of 197 had submitted their new NDCs⁶, and only two NDCs were deemed "1.5C-compatible".⁷ The adoption of credible plans and burden-sharing remain a major challenge, with governments currently largely failing to act and businesses acting irresponsibly. In this context, the following cases demonstrate why international human rights law, meaningful consultation, and respect for court decisions must guide national determination in all circumstances.

Case analysis: climate litigation as accountability mechanism

Climate litigation increasingly compels national governments and private actors to develop just transition pathways. Over the years, courts worldwide have ruled in favour of advocates demanding effective emission reductions from both.⁸ However, implementation of court decisions by national authorities often remains the critical challenge hindering the potential of positive judicial outcomes. The cases below provide illustrations of recent achievements and ongoing efforts at the national level – with some based on the experience of FIDH and its member organisations, while others have been initiated or supported by our allies.

Belgium: TotalEnergies and corporate transition plans

Belgium's first-ever climate case against a multinational company was filed against TotalEnergies⁹ and demands implementation of credible transition plans, including a 47% oil and gas production reduction by 2030. Three Belgian NGOs – FIAN, Greenpeace, and the Ligue des droits humains (an FIDH member organisation) – joined forces to intervene in the case. This legal action is part of FIDH's #SeeYouInCourt project, which aims to use strategic litigation to hold companies accountable for their human rights and environmental abuses.¹⁰ This case relies on national courts to enforce corporate compliance with Paris Agreement targets through judicial oversight of private actors. It is part of a global litigation movement that can help secure justice for the victims of climate change, highlighting that court decisions are a crucial component for a just transition and the rights of future generations.

⁶ See Climate Watch, [NDC Tracker](#).

⁷ See Climate Action Tracker 2035, [Climate Target Update Tracker](#).

⁸ See the [Global Climate Change Litigation Database](#) for an overview, and [Climate In The Courts \(2025\)](#), [German Court Ends Landmark Climate Case Brought By Peruvian Farmer, But Affirms Liability Potential For Major CO2 Emitters](#) for a recent example. See also [European Court of Human Rights, Verein Klimaseniorinnen Schweiz and Others v. Switzerland \(2024\)](#), the first ruling by an international human rights court condemning a country for climate inaction.

⁹ FIDH (2024) [TotalEnergies sued over its responsibility for climate change in Belgium's first-ever climate action against a multinational company](#); and the [dedicated website of the Farmer Case](#).

¹⁰ For a full overview of the cases filed under #SeeYouInCourt, see the [dedicated website](#).

France: *L’Affaire du Siècle* and state accountability

France's landmark climate case established state liability for climate inaction, forcing government accountability for emission targets. *L’Affaire du Siècle* (Case of the Century) is supported by over 40 associations, including FIDH's French member organisation *Ligue des droits de l’Homme* (LDH).¹¹ The case's significance lies in creating legal precedent for holding national governments accountable to their own climate commitments. While the court found ecological harm was eventually repaired, ongoing legal battles following this decision highlight persistent challenges in translating judicial victories into systematic policy changes. Inspired by the *Affaire du Siècle*, three of the four organisations which had launched it – Notre Affaire à Tous, Greenpeace France, and Oxfam France – filed a legal action in June 2025 as co-applicants with 11 victims of climate change (the “Sinistré.es”, or Disaster Victims). The case was filed against the French state for “climate inaction” in terms of adaptation policies and the violation of the Sinistré.es’ rights to a healthy environment, to life, and to respect for private and family life. Inequalities affecting citizens in the face of climate change are at the centre.¹²

European Court of Human Rights: intergenerational justice

In April 2024, the European Court of Human Rights condemned Switzerland for its climate inaction, ruling in favour of the *KlimaSeniorinnen* association and some of its members. The case states that climate action requires “comprehensive and deep transformation of various sectors”¹³, and green transitions necessitate “complex and wide-ranging coordinated actions” involving “intergenerational burden-sharing”. It is the first decision by an international human rights court on this matter and directly supports the principle that national-level determination must incorporate human rights obligations and equitable distribution of transition costs.

1.3 On gender- and human rights-based approaches to just transitions

Just transitions offer an opportunity to align transition pathways with human rights obligations, taking into account structural discrimination and injustices as well as systemic power imbalances between and within countries, including entrenched gender-based inequalities.¹⁴

Beyond technical solutions to rights-centered transitions supported by the recognition of the right to a clean, healthy, and sustainable environment

A human rights-based approach to just transitions requires recognising that environmental protection and human dignity are inseparable. Gender-based approaches acknowledge that climate impacts and transition policies affect women, men, and marginalised groups differently, demanding differentiated responses that address structural inequalities.

The right to a clean, healthy, and sustainable environment – expressly recognised by the UN Human Rights Council in 2021 and the UN General Assembly in 2022 – serves as both foundation and outcome of just transitions, requiring procedural rights (participation, information, justice) and substantive rights (clean and safe air, water, climate, food, and biodiversity). With 85% of UN Member States now acknowledging the right through national constitutions, legislation, or regional treaties¹⁵, it supports robust human rights language in COP30 decisions.

This is also confirmed by the following cases, which highlight some of the consequences of this

11 *L’Affaire du Siècle*, [Qui Sommes-Nous](#) (accessed August 2025).

12 *L’Affaire du Siècle*, [Action des Sinistré.es : pourquoi cette affaire ?](#) (2025).

13 European Court of Human Rights, [Verein Klimaseniorinnen Schweiz and Others v. Switzerland](#) (2024).

14 See UNRISD and GI-ESCR, [Ensuring Justice in Transition: A Gender-Transformative Approach](#) (2025).

15 Baïna Ubushieva (2024), [Research Brief: The Implementation of UN General Assembly Resolution 76/300 Recognizing the Right to a Clean, Healthy, and Sustainable Environment](#).

human rights perspective, such as the obligation of meaningful participation, protection of human rights defenders and marginalised groups, and regulation of corporations.

Case analysis: regional courts advancing environmental rights

Inter-American Court: climate as human rights imperative

Building on its 2017 recognition of the right to a healthy environment, the Court's May 2025 advisory opinion established that a healthy climate is essential for fundamental rights and constitutes a substantive element of the right to a healthy environment.¹⁶ Crucially for just transitions, the Court found that environmental rights defenders are "indispensable in addressing the climate emergency" due to the urgency and complexity of required measures. States must guarantee meaningful participation in climate decision-making and protect defenders from criminalisation and violence. This ruling directly supports maintaining strong human rights language in UNFCCC decisions, notably the JTWP. The Court also stressed that, given the central role that companies play in contributing to climate change, States must directly regulate companies to prevent climate-related human rights violations – showing the need for corporate regulation as part of just transitions.

African Court: corporate accountability for environmental harms

The TRAFIGURA toxic waste case, brought by FIDH and its Ivory Coast member organisations *Ligue ivoirienne des droits de l'homme* (LIDHO) and *Mouvement ivoirien des droits de l'homme* (MIDH), ruled that states must prevent environmental harm and provide adequate remedy for environmental damage and its consequences on human rights. The Court also established clear obligations for just transition policies to include corporate accountability mechanisms and community protection measures.¹⁷

La Oroya v. Peru: comprehensive environmental justice

The first-ever decision enforcing the right to a healthy environment as an autonomous right ordered both individual and collective reparations, including environmental remediation and differentiated measures for vulnerable groups. The decision's emphasis on intergenerational equity and comprehensive healthcare for affected populations provides a model for just transition policies that address cumulative environmental harms while building climate resilience. APRODEH, one of FIDH's Peruvian member organisations, represented families from La Oroya in the proceedings, which first began in 2006 with a petition against Peru at the level of the Inter-American Commission on Human Rights, exemplifying the importance of long-standing struggles for environmental justice.¹⁸

1.4 On corporate accountability and whole-of-economy approaches

The private sector gap in just transitions

The JTWP draft recognises "the multisectoral and multidimensional nature of just transitions and the resultant need for whole-of-economy approaches to just transitions that engage the private sector, including micro, small and medium-sized enterprises, and that contribute to the creation of green and decent jobs." However, realising this vision requires robust corporate accountability mechanisms that go beyond voluntary commitments to mandatory due diligence frameworks, notably in the context of business activities carried out by multinational companies.

¹⁶ Inter-American Court of Human Rights (2025), [Advisory Opinion AO-32/25 – Climate Emergency and Human Rights](#).

¹⁷ See African Court on Human and Peoples' Rights's [judgement from 5 September 2023](#) in the case of *Ligue ivoirienne des droits de l'homme* (LIDHO), *Ivoirian Human Rights Movement* (MIDH) and *International Federation for Human Rights* (FIDH) v. *Republic of Côte d'Ivoire*, Application No. 041/2016, paras. 175-186; and FIDH press release (2023), [Ivory Coast: Victory at the African Court for victims of the TRAFIGURA toxic waste dump](#).

¹⁸ APRODEH (2021), [Víctimas de contaminación ambiental en La Oroya, Perú, aplauden la presentación del caso ante la Corte Interamericana de Derechos Humanos](#).

The current landscape reveals a dangerous gap: while corporations increasingly adopt some human rights defenders' protection policies and sustainability commitments, implementation remains woefully inadequate, marked with only minimal defender protection¹⁹, limited rights-holder engagement²⁰, and failures to demonstrate significant efforts towards a just transition²¹. Simultaneously, legislative efforts to establish binding corporate accountability – exemplified by the EU's Corporate Sustainability Due Diligence Directive (CSDDD)²² – face sustained attacks to maintain the status quo of minimal or unenforceable commitments.

The imperative of strong due diligence frameworks

Through 2025, the CSDDD has been faced with attempts to weaken corporate accountability and limit protections for human rights and the environment²³, after four years of tortuous negotiation marred with repeated industry efforts to weaken binding obligations and expand exemptions. The current series of hostile initiatives and proposed amendments would allow corporations to bypass the consultation and protection of human rights defenders advocating for just transitions, contravening human rights-based and whole-of-society approaches to such pathways.²⁴ Meanwhile, due diligence laws and regulations have been passed or are being discussed by a number of countries, both within and outside the EU.²⁵ Binding due diligence requirements can create economic incentives for genuine rights protection by exposing companies to legal liability for human rights violations in their value chains. This shifts corporate behaviour more effectively than voluntary commitments or reputational pressure alone.

To achieve genuine whole-of-economy transformation, comprehensive and binding due diligence frameworks must ensure that human rights commitments cascade through entire value chains, from large corporations to small or medium enterprises, so that companies can be held accountable to workers, communities, and defenders.

1.5 On multi-stakeholder, people-centric, bottom-up, whole-of-society approaches based on meaningful participation

Meaningful participation versus corporate capture

The whole-of-economy and whole-of-society approaches to just transitions are already tentatively listed in the draft decision from SB62. However, at COP30, Parties must further strengthen human rights language and commit to both pathways and operationalisation modalities that are grounded in human rights norms, respectful of Free, Prior and Informed Consent (FPIC), and protected against corporate capture. True multi-stakeholder approaches require meaningful participation of human rights defenders, Indigenous Peoples, and affected communities as rights-holders, not merely consultees in predetermined, one-off processes. The cases below illustrate both successful models and cautionary examples of participatory transition processes that could inform future implementation of the JTWP.

19 See Business and Human Rights Resource Centre, [Human Rights Defenders Policy Tracker](#).

20 See World Benchmarking Alliance, [2022 Corporate Human Rights Benchmark \(2023\)](#).

21 See World Benchmarking Alliance, [Just Transition Assessment \(2021\)](#).

22 See FIDH et al., [CSDDD: A guide to transposition and implementation for civil society organisations \(2024\)](#), p. 47.

23 See FIDH, [Key changes to the Corporate Sustainability Due Diligence \(CSDDD\) proposed by the Council of the European Union and their impacts \(2025\)](#).

24 The proposed amendments, if adopted, would indeed further limit the scope of companies covered by the Directive. They would reduce the scope of consulted stakeholders to those directly affected by a company's activities, that of its subsidiaries or its business partners excluding national human rights and environmental institutions, civil society organisations, and all indirectly affected persons. The proposed changes would also restrict due diligence obligations to in-scope companies and their direct business partners, excluding indirect partners. Finally, they would also further weaken climate obligations, just a few days after the International Court of Justice's ruling which affirmed in its advisory opinion that States have binding obligations under international law to take action against climate change.

25 Mandatory supply chain human rights due diligence laws recently passed in France, Switzerland, the Netherlands, Norway, and Germany, while others have been proposed in Canada, Spain, and [South Korea](#), and [Japan](#) has issued guidelines.

International recognition of environmental human rights defenders: a critical factor for just transitions

International frameworks and mandate-holders²⁶ increasingly recognise environmental human rights defenders as essential for just transitions. The 2019 UN Human Rights Council resolution established environmental defenders as legitimate actors whose work is vital for democracy and sustainable development.²⁷ The 2022 Kunming–Montreal Global Biodiversity Framework includes explicit protection requirements for environmental defenders²⁸, while the UN Secretary-General's 2025 Principles on Critical Energy Transition Minerals emphasise that "protection of civic space and human rights for environmental and anti-corruption defenders is crucial to ensure human rights are upheld"²⁹.

Regional mechanisms strengthen this protection framework. The Escazú Agreement's 2024 Action Plan provides concrete implementation measures for defender protection, while the Aarhus Convention's Special Rapporteur on Environmental Rights Defenders addresses violations across jurisdictions. The UN Human Rights Committee's recognition of civil disobedience as protected expression under peaceful assembly rights provides crucial legitimacy for climate defenders facing repression. Most significantly, the UN Committee on the Rights of the Child acknowledged youth climate activism as the driving force behind General Comment 26, demonstrating how defender mobilisation creates policy momentum for just transitions that "immediately and equitably phase out the use of coal, oil and natural gas".

For transition pathways to be truly just, whole-of-society approaches must count with meaningful participation of environmental human rights defenders as well as civil society more broadly.

Some positive examples of rights-based participation

Below are successful initiatives that relied on human rights defenders' participation and citizens' engagement. Both situations highlight that even with the best participatory and human rights-oriented approach, what is key is ultimately the political will of national authorities to implement the roadmaps or decisions stemming from such democratic exercises.

Ecuador: rights of Nature, democratic consultation, and implementation challenges

Ecuador's 2008 Constitution, recognising the rights of Nature, enabled the 2023 Yasuní referendum, where 60% of citizens voted to halt oil drilling.³⁰ FIDH's member organisation *Acción Ecológica* played an instrumental role in both advances.³¹ This demonstrates how constitutional rights frameworks can empower democratic participation in transition decisions. However, government resistance to implementation³² reveals how legal victories require sustained civil society mobilisation efforts and international support to prevent backsliding.

²⁶ See Joint Statement by international and regional human rights experts in the context of COP29, [Time to protect environmental defenders and ensure their safe participation in international forums relating to the environment and climate change \(2024\)](#).

²⁷ See UN Human Rights Council, [Resolution 40/11 recognising the contribution of environmental human rights defenders to the enjoyment of human rights \(2019\)](#).

²⁸ See Convention on Biological Diversity, [Target 22 – Ensure Participation in Decision-Making and Access to Justice and Information Related to Biodiversity for all](#).

²⁹ See UN Secretary-General's Panel on Critical Energy Transition Minerals, [Principles to Guide Critical Energy Transition Minerals Towards Equity and Justice \(2024\)](#); and UN Guidance for Action on Critical Energy Transition Minerals: A Document of the UN Secretary-General's Working Group on Transforming the Extractive Industries for Sustainable Development (2025).

³⁰ Article 10 makes Nature a subject of rights and mentions that Nature shall enjoy the rights guaranteed to them in the Constitution and in international instruments. Articles 71 to 74 also recognise the inalienable rights of Nature to exist and flourish, give people the authority to petition on behalf of Nature, and require the government to remedy violations of these rights. See *Acción Ecológica's* opinion, [A diez años de los derechos de la naturaleza \(2018\)](#), as well as the timeline [here](#).

³¹ *Acción Ecológica*, [Boletín: Un año desde el triunfo de la consulta popular a favor de dejar el crudo bajo tierra y detener la explotación petrolera en el Yasuní \(2023\)](#).

³² See Mongabay (August 20, 2024), [One year after oil referendum, what's next for Ecuador's Yasuní National Park?](#)

France's Citizens' Climate Convention: democratic potential and implementation limits

The Citizens' Climate Convention showed democratic potential with 150 randomly selected citizens proposing 149 measures³³ for just transitions. However, only 10% were accepted without modification³⁴, with measures addressing inequalities particularly targeted for rejection.³⁵ FIDH's member organisation *Ligue des droits de l'Homme (LDH)*, among other organisations, underlined that the lack of a constitutional framework or democratic basis for this public participation mechanism had made it possible for its conclusions to be abandoned.³⁶ The Convention's implementation failure highlights that participatory mechanisms without binding frameworks risk instrumentalising citizen voices while maintaining status quo policies. It is all the more problematic when such initiatives are followed by attempts³⁷ to dissolve³⁸ an environmental human rights group as well as threats to "look into" the funding of a human rights organisation³⁹ that had observed police violence during environmental protests⁴⁰ involving this group. This happens in a broader context of growing repression against the environmental movement, especially through obstructions to freedom of association and peaceful assembly.⁴¹

Spain's move away from coal and thermal power as a best practice for labour

Spain's closing of coal mines and thermal power plants has been carried out with just transition criteria in mind. Tripartite agreements between governments, employers, and trade unions were developed to guarantee social protection and maintain income. The strategy included training, redeployment, and creation of new activities linked to renewable energies to ensure more diversified and sustainable employment. The process has promoted 14 Just Transition Agreements in each of the territories affected by the closure of mines, coal-fired power stations and nuclear power plants, with the participation of more than 500 local social organisations, women's organisations, youth organisations, academic organisations and others. These groups have proposed over 1,600 economic, social and development initiatives. The process is legally protected by a Climate Change Law, a Just Transition Strategy (to be reviewed in 2026), and an official Institute for Just Transition created for this purpose.⁴²

The lack of participation undermines just transitions

The issue of political unwillingness compounds the other crisis of shrinking civic space – one which is being worsened by a proliferation of gagging rules and criminalisation. Environmental human rights defenders find themselves under attack on multiple fronts. They face reprisals for challenging "climate-bomb" fossil fuel projects and their impacts, such as in the cases of EACOP in **Uganda**⁴³

33 See *Convention Citoyenne pour le Climat, Rapport de la Convention à l'issue de son adoption formelle* (2020); and *Convention Citoyenne pour le Climat: Homepage* (accessed: August 2025).

34 Greenpeace, *Loi climat, loi blabla* (2021) and Reporterre, *Convention pour le climat : seules 10 % des propositions ont été reprises par le gouvernement* (2021).

35 *Ligue des droits de l'Homme (LDH) et al., Tribune collective «La mobilisation pour le climat doit mettre au centre la question des inégalités»* (2020).

36 LDH et al., «*Pour de nouvelles pratiques de débat démocratique sur les enjeux écologiques !*» (2022).

37 See Conseil d'État, *Le Conseil d'État suspend en référé la dissolution des Soulèvements de la Terre* (2023).

38 See LDH, *Le Conseil d'État stoppe les ardeurs répressives du ministre de l'Intérieur et annule la dissolution des Soulèvements de la Terre* (2023).

39 See LDH, *Empêcher l'accès à la bassine quel qu'en soit le coût humain* (2023).

40 See Commission nationale consultative des droits de l'Homme (CNCDH), *Attaques du ministre de l'intérieur contre la LDH : la CNCDH écrit à la Première ministre* (2023).

41 See Joint Fact-Finding Report of the Observatory (FIDH-OMCT) and LDH, *France: Dropping Out of Democracy – Obstructions to freedom of association and peaceful assembly* (2025).

42 See Gobierno de España, *Zonas de Transición Justa*.

43 See Observatory Urgent Appeal (2025), *Uganda: Arbitrary arrest and detention of 11 Ugandan environmental rights defenders*; Observatory Urgent Appeal, *Alarming Crackdown on Environmental Human Rights Defenders* (2024); FIDH press release, *Uganda: the authorities continue to crack down on human rights defenders opposing oil development projects* (2024); and FIDH, *Report: Companies must take action to respect rights of communities at risk in East Africa's oil frontier* (2020).

and Carbones del Cerrejón in **Colombia**. Across the world, from **Honduras**⁴⁴ and **Vietnam**⁴⁵ to the **Republic of Congo**⁴⁶ and **France**⁴⁷, environmental human rights defenders must deal with multiple forms of repression for pushing for higher environmental ambition or holding the authorities in check for their contribution to the triple planetary crisis. Growingly, these changemakers are targeted for opposing initiatives that are marketed as climate solutions yet often replicate harmful human rights abuses and emission patterns. **Kenya's** carbon credit conservancies and **Tibet's** and **Colombia's** hydropower activities are examples of such greenwashing and symptomatic of approaches that impose damaging forms of nature commodification and offsetting in lieu of stringent emission reduction strategies. The rapidly growing trade is being increasingly used by wealthy countries and large companies as a cheap alternative to real carbon cuts – in what constitutes an affordable “licence to pollute”. Due to the absence of binding criteria to independently evaluate both carbon additionality and environmental and human rights impacts, market-based approaches such as those described rest on insufficient and private-run audit schemes.

Lithium Triangle: extractivism without consent

In **Argentina, Bolivia, and Chile**, community- and Indigenous-led research⁴⁸, supported by FIDH and its member organisations *Centro de Estudios Legales y Sociales (CELS)* and *Observatorio Ciudadano*, highlights the lack of genuine prior consultation, adequate information, and effective participation of communities in existing projects. Water-intensive extraction damages fragile ecosystems while Indigenous communities bear costs without sharing benefits. Government repression of environmental defenders, including intelligence surveillance and mass arrests, reveals how extractive activities undermine environmental and human rights⁴⁹, but can also trigger autonomous mobilisation strategies. These range from active engagement in company-community negotiations to various forms of mass mobilisation and legal action. In their research efforts, FIDH and its Latin American member organisations noted a growing interest in community-based impact assessments to inform local strategies, which could in turn inform alternative just transition pathways drawing on communities' voices, needs, and knowledge.

Morocco: SLAPP suits and worker repression

In **Morocco**, cases from Bou Azzer cobalt mine⁵⁰, the Jorf Lasfer lithium mine and Imider silver mine⁵¹ show how “responsible” mining narratives mask systematic violations of labour and community rights. Morocco's transition mineral extraction reveals the gap between corporate sustainability claims and ground-level realities. New lithium projects – including a 400,000-tonne annual capacity plant inaugurated in Jorf Lasfer in 2025 – proceed without human rights impact assessments despite documented patterns of violations at existing mines. In Imider, the silver mine case demonstrates systematic exclusion of Indigenous Amazigh communities from decision-making about their ancestral lands, as well as exacerbated water scarcity in a semi-desert region. Community resistance through peaceful protest camps led to mass prosecutions, with protesters sentenced to years of imprisonment based on reports signed under coercion. The mine's expansion destroys subsistence farming lands while providing no compensation to affected Indigenous

44 See Observatory Urgent Appeal: [Defensores del Río Grande de Reitoca condenados a nueve meses de prisión \(2024\)](#).

45 See Observatory Open Letter: [Vietnam: Apple urged to address climate justice concerns in the country \(2024\)](#) and FIDH, The Vietnam Committee on Human Rights, CSW and Global Witness, joint press release (2025), [Vietnam's systematic attack on civil society breaches the free trade agreement with the EU, new complaint argues](#).

46 See Observatory Report: [Human Rights Defenders on the Frontline \(2024\)](#).

47 See footnote 41.

48 See Observatorio Ciudadano, Centro de Estudios Legales y Sociales, CIDES programme of USMA, and FIDH (2025), [In South America's lithium triangle, the scramble for transition minerals endangers human rights and the environment](#).

49 FIDH (2024), [Argentina: The scramble for lithium threatens the rights of indigenous peoples in Jujuy](#).

50 Several civil society organisations in Morocco, France, and Germany have reported serious violations of the rights of workers, local populations and the environment around Bou Azzer, a former arsenic mine repurposed for cobalt extraction in Morocco.

51 See FIDH, Acción Ecológica, AMDH, LDH-France, OGDH, and Trend Asia (2025), [Submission to the UN Special Rapporteur on climate change: Human rights in the life cycle of renewable energy and critical minerals](#).

communities. In Bou Azzer, investigations documented structural health and safety risks for miners despite European automotive companies BMW and Renault labelling the cobalt as "responsible" for environmental rebranding. Workers' attempts to form independent unions faced violent repression, while civil society organisations – including FIDH's member organisation *Association Marocaine des Droits Humains* (AMDH) – faced SLAPPs for documenting violations. Such cases demonstrate how corporate greed and profit maximisation generally override human rights considerations in transition mineral extraction, even when operations are marketed as supporting global climate goals.

Tibet: displacement and protest repression for hydropower

In **Tibet**, China's massive hydropower expansion, including the world's largest dam project, has driven large-scale human rights violations. The 1.2 million people facing displacement and the repression of Tibetan protesters reveal how large-scale energy transition policies without a human rights approach can perpetuate political oppression and cultural destruction, all while investing in energy sources that actually release large amounts of methane and risk obscuring the need to immediately reduce emissions through less invasive and more readily available clean energy sources.⁵²

Colombia: missing just transition pathways in coal-dependent regions

In **Colombia**, the Carbones del Cerrejón coal mine demonstrates how fossil fuel extraction is not only a climate hazard, but a source of violations for the most marginalised communities. Latin America's largest open-pit coal mine has forcibly displaced over 35,000 Indigenous Wayúu and Afro-Colombian people from ancestral lands without proper consultation, violating FPIC principles central to just transitions. Despite multiple court rulings – including a 2019 Constitutional Court decision ordering pollution reduction and a 2020 UN Special Procedures call for operation suspension – implementation remains absent. Glencore's 2022 "coal portfolio decline" commitment failed to address cumulative human rights impacts or include community-led closure planning. This case illustrates how corporate transition rhetoric without binding accountability mechanisms enables continued violations under sustainability narratives.

Ecuador: green colonialism in copper extraction

Ecuador's Mirador copper mine is operated by the Chinese consortium ECSA. Despite constitutional protections for both human rights and rights of Nature, the mine has caused systematic deforestation, pollution, and Indigenous displacement since operations began a decade ago. The project exemplifies how "transition minerals" extraction reinforces global injustices, with Ecuador serving as a raw material exporter to fuel energy consumption in China, North America, and Europe while Indigenous Peoples and Amazonian ecosystems bear disproportionate costs. The persistent harassment of human rights defenders opposing the mine reveals how corporate and state actors suppress community resistance to maintain extractive relationships that contradict just transition principles.

Kenya: carbon colonialism through conservation

Kenya's Northern Rangelands Trust operates 45 nature conservancies that serve as tourist sites and carbon offset projects for companies like Netflix and Meta, demonstrating how climate finance can enable new forms of colonial control over Indigenous lands. A study from FIDH and *Avocats Sans Frontières*⁵³ revealed that, despite being framed as community conservation, pastoralist communities report systematic harassment, abductions, and extrajudicial killings by security forces. The conservancy model replaces state authority with private governance that controls land and revenues like a business, while restricting Samburu, Maasai, Borana, and Rendille communities' access to their ancestral territories and remedy for violations. A 2025 High Court ruling found two

⁵² See International Campaign for Tibet (2024), [Chinese Hydropower: Damning Tibet's Culture, Community, and Environment](#).

⁵³ See *Avocats Sans Frontières* and FIDH (2025), [Access to Remedy for Communities Affected by Conservancies in Isiolo](#). See report and press release [here](#).

conservancies illegal due to a lack of FPIC, exposing fundamental flaws in private carbon credit certification schemes. This case reveals how voluntary carbon markets can facilitate land grabbing under environmental rhetoric, undermining both climate integrity and Indigenous rights while generating profits for international corporations and conservation organisations.

The Belém Action Mechanism: coordination platform potential

At the international level, numerous “just transition” programmes are being discussed, created, and/or put into practice, frequently driven by climate concerns. These programmes often operate independently without coordination or comprehensive support for the Paris Agreement, and typically concentrate on specific sectors or particular issues. While having a focused scope is not inherently problematic, there is a recognised need for a coordinating platform to identify missing elements and potential actions to speed up positive developments. Additionally, addressing these challenges by expanding knowledge and taking action once solutions are identified could represent a forward-thinking strategy.

In early 2025, civil society organisations urged to create the Belém Action Mechanism for Just Transition (BAM) to accelerate, consolidate, and accomplish a comprehensive just transition throughout entire economies, both domestically and internationally, through global cooperation founded on the principles of equity and common but differentiated responsibility.

This mechanism would concentrate on addressing gaps and removing obstacles to just transition implementation; building collaborative relationships; offering guidance; and preventing duplicated just transition efforts among various mechanisms and organisations both within and outside the UNFCCC. It would also find pathways for international cooperation and implementation methods for just transitions, including identifying financing that does not create debt burdens, technology sharing, and capacity development for low-income and least responsible countries. Lastly, it would help develop and provide access to knowledge about just transition approaches, resources, and successful practices.

For civil society advocates, and drawing from previous experiences, the BAM should be backed by a UNFCCC Coordinating Entity that ensures meaningful involvement and participation from constituency observers and other stakeholders, a knowledge-creation component (potentially building on the JTWP), and an implementation and support component.⁵⁴ Civil society hopes that the JTWP will lead to a Belém Action Mechanism to be agreed at COP30, enabling advice-sharing with stakeholders at all levels trying to pursue just transitions on the ground. A reference to the mechanism was foreseen in the JTWP’s draft informal note from SB62.⁵⁵

1.6 On the care economy and human rights-based economies

Paragraph 11 of the informal note rightly refers to the need to implement care economies, centering just transitions around the notion of “care”. This notion has recently been recognised as an autonomous human right and is very linked to what is called a “human rights economy”.

Care as an autonomous human right: foundation for just transitions

The Inter-American Court's 2025 advisory opinion⁵⁶ – recognising care as an autonomous human right – provides a crucial framework for just transition policies. With women performing 76.2% of unpaid care work globally, transitions that ignore care dimensions risk perpetuating gender inequalities while failing to recognise care as essential low-carbon work. The Court's emphasis on redistributing care responsibilities, guaranteeing care worker rights, and dismantling structural

⁵⁴ See Climate Action Network, [ECO6 SB62](#) and [ECO7 SB62](#) (2025).

⁵⁵ UNFCCC, [Informal Note on United Arab Emirates just transition work programme](#) (V. 25/6/2025 22:00).

⁵⁶ See Inter-American Court of Human Rights, [The Content and Scope of the Right to Care and its Interrelationship with Other Rights](#) (2025).

inequalities aligns with feminist approaches to just transitions that prioritise caring for people and nature over market-driven solutions.

Human rights-based economies: beyond GDP growth

A "human rights economy" consists in moving away from an economy driven by profit maximisation and financialisation, to one that strives for the realisation of human rights for all while coming back within planetary boundaries.⁵⁷ In high-income countries, such a shift would entail a planned and democratic reduction of production and consumption to lower environmental pressures and inequalities while ensuring well-being, social justice, and human rights for all. In low-income countries, development should not be equated with a GDP increase, but the realisation of human rights and increased social and ecological well-being. A human rights economy would rely on already agreed human rights obligations, including by designing progressive tax systems and tackling tax avoidance to ensure greater equality and generate the resources needed to realise human rights for all.⁵⁸

1.7 On education, skills development and social protection in just transitions

The JTWP draft recognises "the importance of education systems and skills development, including through upskilling and reskilling, of labour rights and social protection systems, and of consideration of the informal sector, the care economy, unemployed people and future workers" for ensuring a just transition of the workforce. However, current approaches often treat skills development as technical capacity-building while ignoring the structural inequalities and rights violations that undermine genuine workforce transitions.

Romania: funding without participation

Romania's experience reveals how technical approaches fail without meaningful participation. Despite regional strategic planning and funding to assist coal-dependent regions in implementing a planned coal phaseout by 2032, Romania had utilised only 0.1% of its EU Just Transition funds by the end of 2024. The Oltenia Energy Complex case is emblematic: offered courses to become accredited solar panel installers, only 1.3% of the coal workforce completed training. This failure reflects not worker resistance, but systemic exclusion from transition planning. Current funding primarily supports enterprises while excluding community projects, and civil society organisations remain underinvolved despite their crucial role in accountability and community ownership. As a result, the right to work is threatened by mine closures without viable alternatives, while the right to participation is undermined by governance structures that prioritise only-technical solutions over human rights approaches.

Guinea: positive impacts undermined by civic space restrictions

Guinea demonstrates both the potential and limitations of whole-of-society approaches to workforce transitions. The country joined the ILO's Climate Action for Jobs Initiative, promoting transition plans for decent "green" jobs, particularly for women and young people. Agroecology promotion enables farmers to cope with climate hazards, while renewable energy projects create sustainable employment opportunities. However, these positive developments are undermined by civic space restrictions that prevent meaningful worker and community participation.⁵⁹ This repressive context directly contradicts transition goals: fear of reprisals discourages communities from participating in decision-making about projects affecting their livelihoods.

57 UN Special Rapporteur on extreme poverty and human rights (2024), [Report: Eradicating poverty beyond growth](#), A/HRC/56/61.

58 See FIDH (2024), [COP29: A human rights-based position on climate negotiations in Baku](#).

59 Harassed activists have been defended by lawyers appointed by the Organisation Guinéenne de Défense des Droits de l'Homme et du Citoyen, FIDH's Guinean member organisation.

1.8 On climate resilience and adaptation in just transitions

Locally-led adaptation: beyond technical solutions

The JTWP draft emphasises "the importance of adaptation and climate resilience in the context of just transitions" and "the importance of locally led adaptation and social protection" in enhancing climate resilience aligned with just transition pathways. However, genuine locally-led adaptation requires protected civic space and meaningful community control over adaptation resources and strategies.

Mauritania: fragmented progress without systematic rights protection

Mauritania's adaptation initiatives demonstrate both possibilities and limitations of locally-led approaches. The country has developed renewable energy projects like the Nouakchott solar power plant and joined the Great Green Wall reforestation initiative. Citizen-led initiatives have pioneered participatory democracy approaches, with youth playing crucial roles in awareness-raising and community-led adaptation. However, these initiatives remain fragmented due to weak institutional coordination and inadequate funding. With 58.4% of the population multidimensionally poor and contributing only 0.03% of global emissions, Mauritania faces massive dependence on international aid while meeting only 41% of the National Environment Strategy targets. The deeper challenge is structural: social and regional inequalities hinder local community inclusion in environmental decision-making, while insufficient vocational training and dependence on poorly regulated mining sectors undermine sustainable livelihood alternatives. Without addressing these power imbalances, locally-led adaptation becomes co-opted by external interests rather than serving community priorities.

1.9 On climate finance and implementation: enhance funding efforts and ensure a rights-based approach

The JTWP draft recognises the importance of "means of implementation, including capacity-building, climate finance and technology development and transfer" while noting that "high debt burdens can hinder developing country Parties in pursuing just transition pathways." This language must be preserved and operationalised through enhanced funding efforts and transformative finance approaches that address structural inequalities rather than reproduce them through debt-creating mechanisms.

The New Collective Quantified Goal (NCQG): inadequate ambition

COP29's \$300 billion NCQG represents a fundamental failure to meet developing country needs or historical responsibility principles. The goal's reliance on "all sorts of sources" including private finance risks pushing already debt-burdened countries further into unsustainable obligations. Civil society's call that "no deal is better than a bad deal" reflected recognition that inadequate finance frameworks undermine rather than enable just transitions. The NCQG decision established a "Baku to Belém Roadmap" aimed at fostering international cooperation, representing an attempt to bridge COP29 outcomes with COP30 expectations while mobilising substantial funding for developing country climate commitments. However, the June 2025 SB62 climate conference in Bonn revealed persistent divisions, with wealthy countries continuing to avoid accountability while rejecting developing countries' proposals.

Fourth International Conference on Financing for Development (FfD4): lack of complementarity

Looking beyond the UNFCCC space, the "Compromiso de Sevilla" outcome document from the FfD4 (June-July 2025) fell short of reform proposals needed to unlock resources for climate targets and just transition pathways. Like the NCQG, it lacks clarity on funding collection, distribution, or accessibility for countries most in need. The Compromiso also lacks explicit climate financing pledges and does not make any references to UNFCCC obligations, the common-but-differentiated-responsibility (CBDR) principle, or climate finance as "new and additional" funding. It further omits explicit commitments to phasing out fossil fuel subsidies, contributing to funding fragmentation for just transitions. Still, the text recognises "contributions of multi-stakeholder engagement to sustainable development" and commits to "collaborate meaningfully with all relevant stakeholders, including civil society and the private sector." Specifically, it supports "local value addition and beneficiation of critical minerals and commodities for economic diversification in developing countries, to foster fair, transparent and resilient commodity markets." This language opens doors to increased civil society participation in energy transition minerals projects and broader just transition issues. The "Compromiso" also includes some advances on debt justice, tax justice, and gender equality.

Transformative finance principles

Just transition finance must be grounded in principles of common but differentiated responsibility and respective capabilities (CBDR-RC), compensatory justice, and feminist economics. This requires progressive taxation of polluters, redirection of fossil fuel subsidies, and public grant-based funding rather than debt-creating instruments. The connection between climate finance, tax justice, and debt justice reflects an understanding that just transitions require systemic economic transformation, not fragmented financial instruments. In that context, paragraphs 24 and 25 of the JTWP informal note in their wording are particularly important.

CHAPTER 2

Protecting civic space at UNFCCC: the Arrangements for Intergovernmental Meetings

In June 2025, a draft UNFCCC decision was discussed in Bonn and forwarded to COP30 in Belém for finalisation and adoption, as part of the work on Arrangements for Intergovernmental Meetings (AIM). This stream aims to facilitate effective and inclusive negotiations and decision-making on climate change issues. AIM is key to strengthening the UNFCCC, with rights-holders and parties raising many questions about participation in UNFCCC spaces, including on just transition issues and the protection of environmental human rights defenders.

Echoing civil society recommendations, the draft text includes strong language on visa accessibility, affordable accommodation, the size of delegations, as well as observer participation. However, a proposal by some delegations to enforce national laws of host countries within UNFCCC venues came on the final day of the Bonn conference, in an attempt to backtrack on the nature of these processes and their participants, particularly civil society observers.

The draft AIM decision must maintain strong provisions for meaningful civil society participation. Recent trends show concerning restrictions on observer access, preference for closed-door deliberations, and disproportionate corporate presence. Beyond UNFCCC, the recent Plastics Treaty negotiations' restriction of civil society voices, combined with record corporate lobbying numbers, illustrates how procedural barriers undermine substantive environmental governance. Similar patterns in UNFCCC processes risk corporate capture of climate governance at precisely the moment when civic space and defenders' protection are most crucial.

2.1 Obstacles to safe and meaningful civil society participation

Since 2022, the UNFCCC has been offering privileges to host COPs to countries with shrinking civic space. This resulted in governments intensifying their crackdown on human rights while being COP hosts. According to the rules of the UNFCCC Subsidiary Body on Implementation⁶⁰, UNFCCC sessions and mandated events must be convened in places where human rights and fundamental freedoms are promoted and protected, and where all participants are effectively protected against any violations or abuses. However, COP27 in Egypt⁶¹ and COP28 in the United Arab Emirates⁶² were marred by surveillance, harassment, and detention of activists. Similarly, in the run-up to COP29, repression of human rights defenders and journalists in Azerbaijan escalated.⁶³ Some obstacles to civil society participation, such as a lack of room for representatives and denied entry to the host country, were already reported at COP26 in Glasgow⁶⁴ and COP24 in Katowice⁶⁵. Most recently, at the

60 UNFCCC (2023), [Report of the Subsidiary Body for Implementation on its fifty-eighth session, held in Bonn from 5 to 15 June 2023](#).

61 See United Nations (2022), [Rights experts decry harassment of activists attending COP27](#).

62 See Human Rights Watch, [United Arab Emirates, Events of 2023](#).

63 See Observatory for the Protection of Human Rights Defenders (FIDH-OMCT), statement, [Azerbaijan: Civil society demands attention to human rights and climate justice ahead of COP29 \(2024\)](#).

64 See The Guardian, [COP26 legitimacy questioned as groups excluded from crucial talks \(2021\)](#).

65 See Climate Action Network International, [Civil Society representatives denied entry to Poland to participate in climate talks \(2018\)](#).

SB62 conference in Germany, the UNFCCC Secretariat demanded the removal of the phrase “End the Siege” from a planned peaceful civil society action highlighting the humanitarian catastrophe unfolding in Gaza.^{66 67}

2.2 Civil society calls for UNFCCC: prioritise defenders’ participation and safety

In line with common advocacy work carried out within the Human Rights and Climate Change Working Group, it is crucial to ensure civil society protection and participation at UNFCCC, by ensuring that Host Country Agreements are publicly available and accessible, and aligned with human rights safeguards to protect freedom of peaceful assembly; meaningfully address the undue influence of corporate actors, in particular big polluting industries, in the UNFCCC process including by putting in place stringent conflict of interest policies; guarantee civic space and ensure the protection of civil society before, during, and after COPs, and to commit to the highest standards of protection and accessibility at COPs.⁶⁸

Conclusion

The texts under negotiation at COP30 will determine whether just transitions genuinely protect human rights and civic space or become vehicles for legitimising harmful practices. The human rights language currently included in draft decisions represents hard-won recognition of principles essential for effective, equitable climate action.

Negotiators must resist pressures to weaken this language and instead strengthen accountability mechanisms that ensure implementation. The cases analysed in this brief demonstrate both the transformative potential and perils of transition pathways, highlighting that procedural rights and substantive rights are prerequisites for, not byproducts of, successful climate action.

The choice at COP30 is clear: embrace human rights-based approaches that center affected communities and defenders, or risk perpetuating the very injustices that climate action must address. The integrity of the multilateral climate process – and its capacity to deliver the systemic transformation required – depends on this fundamental decision. At the same time, the AIM decision must include robust language on civic space, and prioritise accessibility, safety, and participation of human rights defenders at UNFCCC meetings.

⁶⁶ See Climate Action Network, [UNFCCC Censorship of Palestine Solidarity: NGOs at Bonn SB 62 call out moral crisis within the UN climate process](#) (2025).

⁶⁷ On the question of civil society participation, the [Leaders Network for Environmental Activists and Defenders](#) was created to bring together governments, defenders, civil society, multilateral institutions, and other key actors in a shared space for dialogue and action to secure the recognition of defenders; strengthen their meaningful participation in multilateral decision-making spaces; and increase their protection and reduce violence against them. It is built on the belief that protecting EHRDs is not only a human rights imperative, but essential to achieving just and effective climate and environmental solutions.

⁶⁸ Human Rights & Climate Change Working Group, FIDH et al., [The COP We Need](#) (2025).

RECOMMENDATIONS FOR COP30 NEGOTIATORS

To State parties pursuing just transition pathways, including domestically

Ground all just transitions or just transition pathways in the following human rights obligations, standards and principles as a foundation:

- **procedural justice**: meaningful participation in decision-making and free access to information;
- **redistributive justice**: effective redistribution of power, resources, and opportunities among and within communities;
- **restorative justice**: seeking to provide economic and non-economic remedy and reparations for harms to humans, biodiversity and the environment arising from both inaction and negative actions;
- **"polluter pays" and "common but differentiated responsibilities and respective capabilities" (CBDR-RC)**, in light of the historical responsibilities of major historical and current polluters for the current crisis;
- **mobilisation of maximum available resources and non-regression** in the level of protection and efforts provided for the realisation and full enjoyment of human rights;
- **equality, justice and non-discrimination**, de jure and de facto, to reverse and prevent replication of systemic injustices, including gender equality and gender justice, as well as women's and girls' rights;
- **access to justice and effective remedies** for all victims of violations and abuses committed in the course of unjust and imposed transitions;
- **meaningful participation and Free, Prior and Informed Consent** of all potentially affected stakeholders, to meet the needs and ensure the effective leadership of rights-holders, including Indigenous Peoples, communities and human rights defenders;
- **regulation and accountability of private actors' behaviour** (companies, banks and investors), adopting legislative frameworks obliging them to conduct effective due diligence;
- **effective legislative and administrative frameworks** at national, regional and international levels to ensure the effectiveness of human rights protection and realisation in the transition, with full access to effective remedies and real guarantees of non-repetition;
- **intergenerational justice** for present and future generations in both the use and conservation of the environment and its natural resources, as well as the respect, protection, and fulfilment of their human rights;
- redirection of all policy decisions and frameworks to **place the well-being of people and the planet at the heart** of economic policies, trade agreements, investment decisions, consumer choices, and business models;
- **individual and collective labour rights**, including the right to work, the right to just and favourable working conditions, and the right to join and participate in trade unions, pursuant to a whole-of-economy approach that includes transitioning away from climate change-contributing practices across sectors – by compensating, retraining, and reskilling workers, providing working benefits, and complying with labour standards as industries phase out fossil fuels and adopt sustainable sources of energy.

To State parties involved in COP30 negotiations of the Just Transition Work Programme, referring to the draft decision under consideration

- Acknowledge that just transition policies, best practices, and debates must be grounded in a whole-of-society and intersectional approach grounded in human rights obligations, principles, standards, and frameworks. These include but are not limited to the polluter-pays principle, CBDR-RC, FPIC, and the rights of Indigenous Peoples, intergenerational equity, equality (including gender equality), non-discrimination, and mobilisation of maximum available resources. To that end, Parties can build on the language in paragraph 11d of the draft decision.
- Prioritise human rights-compatible, properly designed, community-led solutions that genuinely uphold and restore ecosystem integrity instead of commodifying nature, while also increasing access to direct and needs-based funding for such solutions. Such qualifications should guide the inclusion of new, stronger language in paragraphs 11d, 11j, and 11k.
- Establish the Belém Action Mechanism for Just Transition to operationalise just transitions at the UNFCCC level, with support from a UNFCCC Coordinating Entity and following human rights-based guiding principles and accessible mechanisms to:
 - ensure meaningful involvement and participation of constituency observers (each having full representation) and other stakeholders (including environmental human rights defenders and Indigenous representatives);
 - include a knowledge-creation component building on the outcomes of the four JTWP dialogues, ensuring the exchange of best practices among stakeholders;
 - include an implementation component to support local transitions pathways.
- Build on Article 11g's Placeholder Option 1 in the JTWP draft concerning universal energy access that explicitly mentions transitioning away from fossil fuels, aligning with scientific necessity and existing legal obligations on an immediate, just, and time-bound fossil fuel phaseout. They should also reject any inclusion of language that would lend support to the use of transitional fossil fuels. Reference to national circumstances in Option 1 should not be a justification for any use of transitional fossil fuels.
- Within Placeholder Option 1 in paragraph 11g, encourage new approaches for energy projects that increase local ownership in decision-making and ensure energy justice and access to fair revenue distribution, while also ensuring that such projects scientifically contribute to absolute emission cuts and promoting circular economy strategies and universal equitable access standards.
- Within paragraphs 24, 25, and 26 (the latter being a placeholder due to ongoing discussions), strongly commit to increased international cooperation as an international law duty, recognising just transition policies and programmes as eligible for non-debt-creating climate finance.
- Within paragraphs 11b and 11e, strengthen language related to workers' rights, enshrining calls for decent work for all and the promotion of effective social dialogue at all stages of just transition pathways.
- Within paragraph 18, support the reference to the ILO Guidelines for a Just Transition and add references to the ILO Fundamental Principles and Rights at Work, the 1998 UN Declaration on Human Rights Defenders, and the Principles to Guide Critical Energy Transition Minerals Towards Equity and Justice adopted by the UN Secretary-General's Panel on Critical Energy Transition Minerals.

- As already recognised in paragraph 11h, commit to gender-responsive just transition pathways that fully address the gender dimensions of environmental, labour and social challenges and opportunities.
- Within paragraphs 11d, 11e, and 11f, clearly recognise both the human rights economy and the care economy as more systemic foundations of just transitions.
- Within paragraphs 23, 24, 25, and 26, encourage the design of progressive tax systems, reform of global tax rules, and debt justice and relief measures that will increase the resources governments can mobilise domestically for just transition pathways. Parties should also preserve existing language acknowledging that “high debt burdens can hinder those Parties in pursuing just transition pathways”.

To State parties involved in COP30 negotiations of the Arrangements for Intergovernmental Meetings

- Establish a unified digital visa system with guaranteed approval within one week for all accredited UNFCCC participants, including human rights defenders, and reflect such processes in Host Country Agreements (HCAs).
- Remove administrative, financial and logistical barriers that prevent meaningful participation of frontline communities and human rights defenders.
- Develop equitable and predictable criteria for observer badge allocation that ensure geographical balance as well as the meaningful participation of human rights defenders.
- Guarantee access to negotiation rooms and provide adequate space for observers, in particular for human rights defenders, throughout all meeting stages.
- Continue efforts to achieve more diverse representation of observer organisations, particularly organisations working on human rights, climate, and the environment from developing countries.
- Support the establishment of a Disability Constituency to ensure full participation of persons with disabilities and their defenders.
- Ensure that all documents and drafts are timely made available on the official website and before final decisions to allow for meaningful participation of human rights defenders, and maintain open negotiations for observers, even during final agreement stages.
- Publish HCAs promptly after signature on both UNFCCC and host country websites, ensuring they are easily accessible with clear guidance on requesting copies.
- Align HCAs with human rights safeguards, conflict of interest provisions, and commitments to protect human rights defenders and freedoms of expression and peaceful assembly.
- Guarantee safe and secure conference venues, providing full respect for freedom of expression and peaceful assembly, including for the right to defend rights, free of surveillance and intimidation against human rights defenders.
- Address the imbalance in participation between developed and developing country civil society organisations.
- Ensure availability of affordable, decent accommodation with good transport links to venues.
- Prioritise support for observers from underrepresented and frontline communities.
- Adopt a rigorous UNFCCC Accountability Framework that includes: a clear definition of what

constitutes a 'conflict of interest' (COI); protocols to determine criteria for different types of representatives; rules of engagement for non-party stakeholders; and guidance on handling potential COIs.

- Address the undue influence of corporate actors, particularly big polluting industries, through stringent COI policies.
- Implement monitoring and accountability mechanisms for all announcements and commitments made in COP contexts.
- Consider additional accountability measures when Parties fail to comply with commitments.

To the COP30 Presidency, UNFCCC Secretariat, and all Parties

- Guarantee civic space and ensure protection of human rights defenders and civil society before, during, and after COP30.
- Ensure timely issuance of visas and accreditation for all observers, particularly human rights defenders, implementing the highest standards of accessibility.

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Human rights principles and defenders' role in just transition pathways

An advocacy brief for COP30

DIRECTOR OF PUBLICATION:

Alice MOGWE

EDITOR:

Éléonore MOREL

AUTHORS OF THE REPORT:

FIDH / OBS

COORDINATION:

Gaëlle Dusepulchre, Hugo Gabbero, Maddalena Neglia,
Lucia Posteraro

COVER PHOTO:

A protester holds a sign reading "System change not climate change" during the Climate march 2025, organised by the "Coalition Climate", a coalition of more than a hundred associations and NGO's in Brussels on October 5, 2025. Simon Wohlfahrt / AFP

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FIDH INTERNATIONAL FEDERATION FOR HUMAN RIGHTS

17, Passage de la Main d'Or | 75011 Paris | France

T. +33 1 43 55 25 18 E. contact@fidh.org

FIDH.org