FIDH INTERNATIONAL FEDERATION FOR HUMAN RIGHTS

OCTOBER 2026 | NOTE | N° 858A

Just transition at COP31

Advancing human rights in the new Action Mechanism and beyond

© An Indigenous activist protests outside the International Convention Centre in Brasilia on 14 October 2025, during the pre-COP30 preparatory meeting bringing together ministers responsible for climate negotiations. (Photo by Sergio Lima / AFP)

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At COP30, within the Just Transition Work Programme (JTWP), civil society secured a groundbreaking decision to develop a Just Transition Mechanism to accelerate and coordinate climate action that advances social justice and rights for all – alongside the strongest operational language on human rights so far in a COP text. But intense disagreements at the mid-year climate talks in Bonn delayed crucial discussions of how the Belém-Antalya Mechanism (BAM) will be established and run in full compliance with human rights norms and standards.

Following a summer marked by the extreme impacts of climate breakdown on communities and their lives, progress on delivering the BAM and climate action grounded in human rights has become even more urgent. This brief offers recommendations on how to put human rights and their defenders at the heart of the BAM's operationalisation and future work, drawing on the clusters of issues contained in the JTWP Co-Chairs' SB64 informal note. It also offers concrete suggestions on integrating just transition goals and principles in other negotiation streams.

1 - A SUCCESSFUL BAM IS ONE WITH HUMAN RIGHTS AS ITS BACKBONE

1.1 Human rights must keep serving as the BAM's guiding principles

The BAM must **support transition pathways that comply with human rights and contribute to the 1.5-degree-or-below temperature limit as a science-backed obligation under international law**, as the International Court of Justice ruled in its climate advisory opinion. False solutions that rely on unproven emerging technologies, misnamed "transitional fossil fuels", or corporate-driven projects without addressing the main emission drivers or human rights concerns will perpetuate dependence on climate-breaking resources as well as injustices for marginalised and unconsulted communities.

The BAM's structure, governance, and areas of work must effectively translate a **whole-of-society, people-centric, bottom-up, whole-of-economy, and multisectoral approach as** agreed at COP30. Such an approach is required to ensure effective and inclusive emission reductions and adaptation strategies alongside the support needed to achieve them. It will also allow for the emergence of a new socio-economic model that simultaneously respects planetary boundaries and achieves the fulfilment of all human rights.

A just transition cannot be considered as such if it does not centre and advance human rights. **The full set of guiding principles for a just transition that were agreed and outlined in Paragraph 12 of** Decision 2/CMA.7 **must be considered a permanent set of human rights safeguards and priorities for the BAM and transition pathways at large.** They must be translated into the BAM's structure, functions, modalities, and activities to ensure rights are a core priority and benchmark.

In alignment with Paragraph 12(l) in Decision 2/CMA.7, **the rights of Indigenous Peoples** – including those in voluntary isolation and initial contact – must be explicitly respected and promoted in the BAM's functions and work, including through the application of the precautionary principle and the principle of non-contact. The BAM must advance protective measures – including no-go approaches where needed – that prevent harmful activities in Indigenous territories often overexposed to the impacts of top-down transition policies.

Given the strong impacts of the transition on workers, decent work, and labour rights more broadly, the BAM must ensure **social dialogue and the full and meaningful inclusion of workers – regardless of their employment status – and trade unions**, all while guaranteeing the respect and promotion of International Labour Organization standards like the ILO Guidelines for a Just Transition.

1.2 Core functions and governance for the BAM to serve human rights

Presented at SB64, the UNFCCC Secretariat's initial mapping of transition-related activities within the UN climate system shows the necessity for a BAM that builds a thread across scattered initiatives, grows support for just transition strategies, and ensures that rightsholders' and defenders' perspectives feed into them.

As a result, the BAM must be established as a **constituted body under the UNFCCC,** centralising cooperation through such an operationalisation process and moving beyond the renewal cycles of the sole JTWP. It should be under the authority and guidance of the CMA to coordinate and enable just transition work within and beyond the UNFCCC.

Moreover, the scope of the BAM is clearly stated in the COP30 text: "[to] enhance international cooperation, technical assistance, capacity-building and knowledge-sharing, and enable equitable, inclusive just transitions". The BAM's functions and governance model must respond to these demands to deliver real change.

A **Coordination Board** would provide a steering role to the BAM, ensuring coherence and preventing duplication of efforts. It would develop concrete institutional guidance grounded in just transition principles, strengthen cooperation across different areas, and monitor and report on progress to the COP. The Board should be explicitly mandated to report to the UNFCCC Standing Committee on Finance so that the latter can incorporate just transition considerations into the strategic planning of climate funds and the mobilisation of non-debt-creating finance. This is essential in light of the small amount of multilateral climate finance that adequately fulfils just transition criteria and is dedicated to advancing just transition pathways (more in the section Climate finance).

A **Knowledge-Generation Hub** would act as a reinforced version of the JTWP and its dialogues, collecting and summarising information and mapping lessons learned about just transition pathways at all levels. This is crucial to grasp the emerging and actual human rights impacts of transition policies and not repeat patterns of violations and marginalisation that underpinned the fossil-fuel extractivist system. To that end, it is instrumental to draw on the contributions and expertise of rightsholder constituencies, environmental human rights defenders, and practitioners from relevant bodies (e.g., ILO and its Just Transition Policy Gateway; OHCHR; UNCTAD; UNEP).

Importantly, the BAM's knowledge-creation work can elevate the **recognition of Indigenous Peoples' traditional and current knowledge systems** as a constituent element of their collective rights that has also been proven to contribute to nature restoration and protection, sustainable food production, and alternative economic models that fit within planetary boundaries.

An **Implementation Support Desk** would match Parties' requests for assistance on a specific issue with existing technical, capacity-building, and financial resources they could access. The Desk's work would in turn provide concrete evidence of the gaps in financial mobilisation and cooperation to the Coordination Board, informing the Board's own reporting and recommendations to the CMA and the UNFCCC finance committees.

1.3 Guaranteeing rightsholders' participation across the BAM

The **full and institutionalised representation and participation of UNFCCC rightsholder constituencies, civil society, and environmental and human rights defenders** must be a precondition for the BAM. Permanent inclusion must extend across all decision-making processes and formal representation on the BAM's coordination board and knowledge hub.

Paragraph 12 of Decision 2/CMA.7 – in particular its subparagraphs D, H, I, J, K, and L – provides a clear justification and foundation for such a governance approach. Institutionalised and effective participation is also necessary to align the BAM with international human rights and environmental

law obligations around the right to public participation, alongside commitments made under Article 4 of the UNFCCC and Article 12 of the Paris Agreement.

Rightsholder constituencies, civil society, and defenders must have the mandate to evaluate, co-design, and approve BAM activities, provide strategic guidance, and actively participate in oversight and grievance procedures where applicable. Accessibility and non-discrimination, including child, disability, and gender responsiveness, are paramount.

Grounding these roles in the BAM and its components further reflects evidence that public participation significantly improves just transition outcomes and ensures human rights fulfillment, while driving actionable policy across transition sectors.

2 - SUPPORTING A JUST TRANSITION IN DISCUSSIONS BEYOND THE JTWP

2.1 Roadmap to transition away from fossil fuels (TAFF)

Spearheaded by the COP30 Presidency as a voluntary initiative after failed negotiations in Belém, the TAFF Roadmap is a key piece to abide by international human rights and environmental obligations by preventing harm and protecting the climate system, as the International Court of Justice's 2025 advisory opinion ruled. In its initial presentation at SB64, the Presidency promisingly stressed the need to duly account for the protection and respect of human rights in fossil fuel phaseout plans.

Addressing the main root cause of climate breakdown is inherently a human rights issue due to its far-reaching impacts. But because fossil fuels are entrenched across the economy, a phaseout is inherently a whole-of-society challenge. There is a gap to fill with ad hoc fora with strong procedural safeguards for public participation, access to information, and consultation for all affected rightsholders and just transition defenders. This is key to directly inform and shape phaseout policies in a way that prevents negative impacts on affected communities, advances human rights fulfilment through adaptive capacity, and secures long-term buy-in and concrete transition solutions.

To that end, all future developments around the TAFF Roadmap must ensure the following:

- Phase out fossil fuel production and use – including an immediate prohibition on new fossil fuel exploration and exploitation as well as any expansion of fossil fuel infrastructure – to ensure absolute emission cuts that cannot be secured exclusively through decarbonisation.
- Systematically apply human rights norms, standards, and principles to the elaboration, implementation, and monitoring of phaseout roadmaps, with special attention to public participation and other procedural rights to improve outcomes and ownership of initiatives.
- Align all Nationally Determined Contributions and phaseout initiatives and their timelines with the 1.5-degree-or-below temperature target, allocating adequate resources for effective implementation and monitoring and ensuring the principle of non-regression.
- Ensure an open and enabling civic space for environmental, human rights, and labour defenders and their movements working to secure a phaseout and/or denounce transition policies that do not centre just transition principles.
- Fully respect the free, prior, and informed consent and priorities of Indigenous Peoples, including for transition projects and policies affecting their collective rights and territories.
- Ensuring the reparation of ecosystems affected by the whole fossil fuel production cycle and access to an effective remedy for affected communities.

- Establish strong binding rules for corporate accountability in light of carbon majors' large contribution to emissions and degradation of ecosystems and related rights abuses.
- Develop comprehensive fiscal measures for big polluters to redress inequalities, fund protection measures for labour and societal transformation, and ensure global communities do not have to bear the costs of tax injustice, phaseout, and climate breakdown.
- Adopt a "clean-hands doctrine" and exclude from Investor-State Dispute Settlement protection all new investments in fossil fuels, as well as companies and investors involved in human rights and environmental violations.
- Phase out subsidies for fossil fuel energies, including production subsidies, financing and tax breaks for fossil fuel production and "transitional fossil fuels", and consumption subsidies that are not contributing to real poverty eradication and clean energy access.

2.2 Electrification agenda

In a welcome announcement, the COP31 Co-Presidency stated its aim to prioritise agreement on a global goal to increase electrification from around 20% of final energy demand today to 35% by 2035 – encompassing sectors like transport, heating, and industry. Within this priority, Parties must ensure that just transition principles underpin all decisions to avoid reproducing violations, especially as the demand for "critical minerals" is projected to accelerate in territories that already present environmental and human rights risks. Parties must therefore:

- Assess the real need for new mineral extraction and ensure that cumulative environmental and human rights impact assessments are conducted, human rights are respected, Free, Prior and Informed Consent is obtained, and victims have access to effective remedies.
- Provide clean energy access as well as fair and equitable benefit-sharing and employment creation mechanisms, determined in partnership with and agreed by communities and peoples to secure their rights, eradicate poverty, and guarantee energy justice.
- Develop strategies to reduce high-income countries' overall demand for raw materials, including by establishing equitable demand-reduction targets and timelines that prioritise socially useful and ecologically sustainable products within electrification action areas.
- Rethink, invest in, and incentivise systems of mobility, housing, and industry, meeting both climate goals and transport needs through the deployment of solutions that simultaneously require fewer raw materials and provide public goods.
- Develop incentive structures for companies that focus on social and solidarity economy, based on value retention instead of overbuilding and surplus capacity as ways to keep costs down in a linear economic model with forecast uncertainty around end-use demand.
- Introduce and/or develop circular economy requirements and incentives for companies to promote the production and consumption of more durable, reparable, and raw-material-efficient batteries and electric vehicles, particularly smaller vehicles, so that they can deliver high performance while requiring fewer raw materials.
- Support battery second-life applications, recovery, and recycling by funding research, supporting market development, and adopting legislation to standardise batteries so they can be easily, safely, and affordably reused, recovered, and recycled, including for different vehicle models.
- Develop corporate regulations with recycled material content targets in newly produced batteries and material recovery requirements, with the goal to incentivise recovery of minerals and a reconversion of their value into secondary supply chains.
- Establish permanent surtaxes on the annual profits of large high-emission sector companies to create fiscal space for long-term electrification investment.

2.3 Climate finance

The stalemate around climate finance, as exemplified by – but not limited to – negotiations under Article 9.1 of the Paris Agreement, is blocking significant progress on just transition. Only 2.8% of multilateral climate finance for mitigation has gone towards supporting just transitions, and only a small amount adequately fulfils just transition criteria. Complementing the JTWP work and in line with the principle of common but differentiated responsibilities and respective capabilities, historically responsible countries must urgently scale up needs-based, grant-based finance to the least responsible countries. This is a stepping stone to enable, support, and enact pathways that fully embody and implement just transition principles and help low-income countries to rapidly implement climate measures.

FIDH INTERNATIONAL FEDERATION FOR HUMAN RIGHTS

A global 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.

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Dépôt légal octobre 2026 - FIDH (English ed.) =
ISSN 2225-1804 - Fichier informatique conforme
à la loi du 6 janvier 1978 (Déclaration N°330 675)

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