

Submission to the COP30 Presidency Roadmap for Transitioning Away from Fossil Fuels in a Just, Orderly and Equitable Manner

The [International Federation for Human Rights \(FIDH\)](#) – gathering nearly 200 human rights organisations around the world – expresses its gratitude for the opportunity to submit its views and recommendations on how to advance a just transition away from fossil fuels, in line with the COP30 Presidency’s work on a roadmap that began at COP30 in Belém. The following inputs reply to specific questions in the call for submissions and should not be considered exhaustive.

Introduction: The legal rationale for a full, fast and just fossil fuel phaseout

The evidence is undeniable and consolidated: the burning of fossil fuels is [the main historical and current driver of greenhouse gas emissions](#). It has been responsible for [81 to 91% of the total historic anthropogenic carbon dioxide emissions](#), currently higher than at any time over at least the past 2 million years. [Coal was the source of 41% of these emissions in 2023, oil 32%, and gas 23%](#).

Fossil fuels’ role in climate breakdown also gravely affects human rights fulfilment – and requires strong action to comply with international law obligations. In its 2025 [advisory opinion](#) on climate change, the International Court of Justice determined that the 1.5°C temperature target is legally binding under the Paris Agreement and that all states must take ambitious mitigation measures in line with the best available science.

This legal obligation is compounded by the [IPCC](#) and the [International Energy Agency’s](#) assessments that reducing global CO2 emissions to net zero by 2050 is the only pathway consistent with the 1.5°C goal. This includes leaving most of the world’s proven fossil fuel reserves unburned, and at least 60% of oil and gas reserves unextracted instead of creating continued fossil lock-in. [Scientific evidence](#) shows there is no room for new fossil fuel exploration under a 1.5°C limit.

States have obligations under both international human rights law and climate treaties to take all the necessary measures to protect the climate system and other parts of the environment. Crucially, the ICJ stated that fossil fuel production and consumption, the granting of exploration licenses, and the provision of fossil fuel subsidies can all constitute breaches of such obligations.

The ICJ further stated that a duty of due diligence to prevent significant harm to the climate system is stringent and draws on the precautionary principle – itself based on the best available science –, which informs State obligations to respect, protect, and fulfil human rights in the context of transboundary environmental harm such as climate breakdown.

Lastly, a just transition away from fossil fuels and the economic efforts it demands would also fall under the general international human rights law obligation on the use of maximum available resources to advance the fulfilment of human rights.

It is important to stress that reliance on “false solutions” that are speculative or outright scientifically unfounded and perpetuate dependence would go against such obligations, only entrenching long-term systemic inequalities and an extractivist system.

(a) What are the most critical barriers — whether physical, economic, financial, institutional, technological or social— preventing a transition away from fossil fuels?

Extractivist economic model: The current growth-oriented economic model is a driver of both emissions and injustices. A phaseout must be part of a broader shift towards a human rights economy that avoids replication of extractivism by means of corporate-led transition policies and that embeds the recognition of the rights of Nature. All policy decisions, frameworks and budget decisions must place the well-being and self-determination of people, communities and the planet at the heart of policies.

Corporate capture: Fossil fuel lock-in stems largely from corporations holding structural power over public policy, multilateral institutions and trade – contributing to delayed or ineffective climate action to preserve profit-driven dependence on extractivism. To preserve their economic model, carbon majors also support “new technologies intended for climate protection” like geoengineering, in lieu of a full and fast phaseout.

Lacking phaseout responsibility: States and businesses alike do not yet have the obligation to abide by enforceable, time-bound and benchmarked phaseout objectives, despite overwhelming scientific evidence of what is required to uphold a liveable climate and human rights. Concrete phaseout obligations remain subject to a practice of avoidance and should be clarified. They also remain scattered across instruments, and without comprehensive and enforceable targets, including for environmental reparation. Moreover, [only a minority of NDCs filed thus far include fossil fuel phaseout objectives](#).

Human rights sidelined: 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.¹

(b) What potential levers, whether economic, financial, institutional, social or technological, exist for accelerating the implementation of the transitioning away commitment?

1 - Meaningful and effective participation of rightsholders in phaseout action plans through National Just Transition Councils

Stronger whole-of-society participation is key to securing phaseout strategies that provide economic alternatives, avoid exacerbating vulnerabilities and counter corporate capture. It requires enhanced guarantees of free and informed participation in public affairs through new mechanisms.

In line with this, drawing on Spain's experience, the creation of Just Transition Coordination Bodies could help develop national phaseout strategies with binding, clear, enforceable targets in the form of Action Plans.

¹ See more concrete examples of the risks and opportunities for participatory transition pathways in FIDH et al. (2025), [Human rights principles and defenders' role in just transition pathways: An advocacy brief for COP30](#).

The Councils are inherently a human rights response embodying meaningful participation, access to information, gender transformation and cross-cutting non-discrimination. They advance rights-based and self-determined solutions to a just phaseout, providing inclusive platforms for policy and adaptive systems development.

Bodies will be composed of civil society organisations, defenders, Indigenous Peoples, trade unions and other rightsholders across regions, developing cross-sectoral demands and exposing challenges and opportunities. They also serve a target monitoring function, providing the means for policy accountability.

It is important that countries employ a rights-centred methodology for the selection of representatives from a large representation of rightsholders (with gender/community/age balance).

Bodies include government representatives who can implement communities' proposals, just phaseout guidelines for different sectors, and funding. Each Body can report back to Parliament on progress, but also support its country in the operationalisation of the UNFCCC Just Transition Work Programme and its Action Mechanism.

Governments must enact policy and funding allocation within the Strategy & Action Plan while ensuring participation, freedom of association and expression feature in all actions and documents. Moreover, countries should allocate human resources and budget for the Coordination Body's operation and adequate funding for implementation.

2 - Phaseout-oriented reform of trade and investment agreements to serve human rights and climate objectives

Accountability of the private sector should be enhanced, serving public resources to finance a just transition and correcting existing caveats. As there is no way to reconcile fossil energy expansion and climate, new investments in fossil fuels should be excluded from investment protection.

More broadly, States should enhance human rights and environmental protection in investment protection as well as any trade agreements, including by:

- requiring companies to respect human rights and the environment;

- providing effective enforcement mechanisms to states, populations, defenders and NGOs;
- allowing counterclaims from States and people in all ISDS and applying the clean-hands doctrine, excluding ISDS for companies and investors involved in human rights and environmental violations;
- easing access to climate and environmental court cases at the national and regional level for affected persons and NGOs;
- providing systematic contributions to a reversion fund to finance the phaseout.

There is a clear need for increased cooperation around these issues, giving impulse to national and multilateral thematic action on the required actions, such as: interpretative declarations of existing treaties on respect for human rights and the environment, responsibilities of companies and investors, and exclusion of new fossil fuel investments; national laws easing access to courts; national and local reversion funds; and global negotiations around new trade and investment agreements with a human rights and environmental focus.

In line with a human rights economy and international courts' climate opinions, this solution addresses corporate awards that further cripple low-income economies with debt, constraining fiscal space for climate action. It would also enshrine concrete dissuasive measures against corporate capture and rights abuses in trade and investment practices.

3 - Tax justice reform to remedy budgetary crunches arising from the phaseout and advance human rights fulfilment

Countries must compensate budgetary shortfalls resulting from fossil fuel phaseout to reinforce their ability to fund public services – especially in low-income countries relying on fossil revenue to pay off existing debt. High-income countries also have to compensate potential loss of tax revenue. At the same time, fossil fuel incentives for large corporate actors making ever-increasing profits from continuing to produce emissions should be cut.

Tax justice is deeply linked to securing the maximum available resources for human rights fulfilment. It secures funds for phaseout policies rapid enough to support the precondition for all human rights, while redressing financial burdens of the transition and systemic inequalities in a growth-oriented, corporate-driven economy.

Comprehensive tax justice measures should be jointly enacted in order to redress inequalities, provide funding for protection measures for labour and societal transformation required in a phaseout, and ensure global communities do not have to bear the costs. These include:

- Establishment of obligations against cross-border tax dodging, in the form of multilateral negotiations such as the UN Tax Convention and its Protocols;
- Excess profit taxes and levies on emitting sectors like aviation;
- Improved national legal regimes for affected communities and persons to file and obtain financial reparations;
- Strengthening accountability regimes for emitting and polluting companies, and allocating fines and mandatory contributions to conversion and phaseout funds;
- Imposing additional contributions on companies that do not have a convincing decarbonisation plan aligned with mandatory global targets;
- Benefit-sharing safeguards in energy transition contracts to empower communities and ensure energy justice and clean energy access;
- Reinvestment of carbon pricing revenues into international grants-based climate finance and phaseout funding.

(c) What country, regional or sector roadmap experiences, best practices, and lessons learned can be shared?

1 - Social and economic justice

An example of good practice in Just Transition in the field of employment has been Spain's experience of closing coal mines and thermal power plants, which has been carried out with just transition criteria and tripartite agreements between governments, employers and trade unions to guarantee social protection and maintain income, as well as training, redeployment and the creation of new activities in renewable energies and others to maintain employment, which is more diversified and sustainable, with positive results. The process has promoted [14 Just Transition Agreements](#) in each of the territories affected by the closure of mines, coal-fired power stations or nuclear power plants, with the participation of more than 500 local social organisations, women's organisations, youth organisations, academic organisations and others, which have proposed more than 1,600 economic, social and development initiatives. The process is legally protected by a Climate

Change Law, a Just Transition Strategy, which will be reviewed in 2026, and an official body created for this purpose: the [Institute for Just Transition](#).

Another example of good practice was the convening in 2022 of a [Citizens' Assembly for Climate](#), called by law to make proposals to the Government and Parliament aimed at achieving a fairer and safer Spain in the face of climate change. The Assembly was composed of 100 citizens chosen at random with a representative distribution of Spanish society by gender, age, level of education and geographical origin. The Assembly concluded with 172 recommendations on consumption, food, land use, health, work, care, communities and ecosystems, which were presented to the Prime Minister and Parliament and are currently being implemented.

2 - Alternative economic models renouncing extractivism

The creation of fossil fuel-free zones and the recognition of the rights of Nature offer two concrete solutions to advance different models for communities and ecosystems that do not prioritise extractivist practices – both in terms of natural resources and human dignity.

With the adoption of its new Constitution in 2008, Ecuador became the [first State in the world to recognise and codify the rights of Nature](#), or Pacha Mama, including the right to respect its existence. Article 10 makes Nature a subject of rights and mentions that Nature shall enjoy the rights guaranteed to it 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. The concept has since been applied to several legal disputes. For instance, in 2021, the Constitutional Court of Ecuador decided that mining permits for plans to mine for copper and gold in the protected cloud forest of Los Cedros would harm the biodiversity and violate the rights of Nature, and would thus be unconstitutional.

The rights of Nature were also invoked for the protection of the Yasuní National Park, one of the areas with the most biodiversity in the world and home to the Tagaeri and Taromenane people, two of the world's last uncontacted Indigenous communities living in voluntary isolation. At a UN General Assembly event in 2007, citing the recognition of the rights of Nature as one inspiration, the Ecuadorian government launched the [Yasuní-Ishpingo, Tambococha and Tiputini Initiative](#). Under the scheme, Ecuador would have put a moratorium on oil activities in the park's ITT corridor and forgone half of the related oil

revenues – at the time worth \$3.6bn – if it received the other half through international compensation based on donations placed in a UN-administered trust. Yasuní-ITT was the first post-oil development initiative that recognised that the benefits gained from the Amazon are greater than the economic benefits from oil extraction.

Following the withdrawal, a [cross-movement YASunidos campaign](#) developed to obtain the sufficient number of signatures to hold a "consulta popular" – a national referendum – so that the oil could stay in the ground. FIDH's member organisation Acción Ecológica was a key member of this collective process to secure support and advocate for a yes vote. On August 20, 2023, almost 60% of Ecuadorians voted to halt all future oil drilling in the Yasuní National Park. Following the referendum, the Constitutional Court gave the government and the state-owned oil company Petroecuador one year to close the 43-ITT oil block, which would have amounted to keeping around 700 million barrels of crude in the ground.

However, the [implementation of the referendum has been marred with opposition from the government](#), even though the Constitution explicitly provides that *consultas populares* are binding and require immediate enforcement. This shows the need for participatory initiatives to be backed by strong political will and enforcement mechanisms and protected from corporate strategies.

(d) How can a just, orderly and equitable transition best reflect the diverse realities of countries at different stages of development and with different degrees of dependence on fossil fuels?

1 - Decolonising the concept of "development"

The principle of common but differentiated responsibilities (CBDR) reflects a legitimate recognition of historical asymmetries: high-income countries, which are historically responsible for emissions, built their prosperity over two centuries through the unrestricted combustion of fossil fuels, generating cumulative emissions that now drive the climate crisis. In this light, differentiated transition pathways are not a concession to inaction, but a condition for equity. However, as the current climate crisis illustrates the continuity of capitalist extractivist logic, it is urgent to question whether the frameworks used to govern the transition — including the [notion of "development"](#) as currently conceived through a growth-oriented lens — do not in fact perpetuate the same colonial logic they claim to redress.

This dynamic is further compounded by the structure of international finance. Many formerly colonised states remain locked in structural dependence on international financial institutions, which favour the interests of creditors and dominant economic powers, making genuine economic sovereignty near impossible. At the same time, the countries which are suffering the worst consequences of climate change are often forced to finance their own adaptation and ecological transition, under the pressure of unfair financial debts.

2 - "Human rights-based economy" framework

Recently, a number of special procedures have sought to requalify the right to development through a human rights economy lens. These include the [UN Special Rapporteur on extreme poverty and human rights](#) and the [UN Special Rapporteur on the right to development](#), who has launched a dedicated "[Development Dialogues](#)" series exploring the linkages between a human rights economy and the right to development, bringing together states, civil society and academic experts to build normative convergence around this emerging paradigm.

A systemic transformation away from fossil fuel dependence will only be possible if the world switches to a human rights economy framework that does not put value on economic growth, but on advancing the effective realisation of all human rights, including the right to a healthy environment, and eradicating inequalities and socio-economic exclusion. A [human rights economy](#) offers a transformative alternative to this paradigm. Instead of measuring progress through GDP growth, it would ground all economic, fiscal, monetary, business and investment decisions in human rights obligations that states have already accepted under international law. In lower-income countries, this means reorienting development towards enhanced social and ecological well-being — energy access, food security, decent work — rather than replicating extractivist pathways. In higher-income countries, it would entail a planned, democratic reduction of production and consumption sufficient to bring resource use within planetary boundaries, while ensuring social justice and well-being for all.

3 - Phaseout benchmarks

A [just transition away from fossil fuels cannot follow a single path for everyone](#) if it is to be equitable in outcome. The differentiation must nonetheless be paired with rigorous needs-based and time-bound benchmarks, not left to self-declaration. The interlinked, intergenerational, severe and widespread human rights impacts of the fossil fuel life cycle, coupled with six decades of climate obstruction, compel [urgent defossilisation of our whole economies](#). As mentioned in previous sections of the present submission, the phaseout of fossil fuels is not merely a policy option but a legal obligation under international human rights law. This framing is crucial: it shifts the debate from voluntary national contributions to enforceable duties, and situates climate inaction — wherever it occurs — as a rights violation.

4 – Responsible divestment

Phasing out fossil fuels is also inseparable from the question of how companies exit extraction — and current patterns are deeply alarming. Driven by the imperative to maximise shareholder value, many fossil fuel companies are attempting to maintain profit margins by offloading the costs of decommissioning and remediating mines and oil wells onto local communities and governments. This constitutes a second wave of extractivism: having profited for decades from the exploitation of land, labour and ecosystems, corporations are now seeking to walk away from the consequences without accountability. Responsible divestment must therefore be understood as a non-negotiable component of the just transition framework. It requires, at a minimum, three concurrent obligations for companies exiting fossil fuel operations:

- Affected people — workers, local communities, Indigenous Peoples, human rights defenders — must be centred in every decision about the exit process, with genuine free, prior and informed consent and full participation in determining timelines and remedies.
- Environmental damage must be repaired: forests, soil and water contaminated by oil leakages and environmental damage from coal mining must be cleaned up and restored, and companies must bear the full cost of this remediation rather than transferring it to producer country governments or communities.
- The vast physical infrastructure of the fossil fuel era must be responsibly dismantled: wellheads, pipelines and other oil and gas infrastructure must be safely decommissioned, open-pit mines rehabilitated, and power plants properly shut down. These obligations must be embedded in legally binding instruments with effective enforcement mechanisms, not left to voluntary corporate commitments.

5 - Rejecting false solutions: carbon markets, carbon sinks and debt

Any credible just transition framework must categorically reject market mechanisms that defer real emissions reductions. Carbon offsetting schemes — carbon markets, carbon sinks, REDD+ programmes — have repeatedly been documented as tools of greenwashing that allow high-emission economies to continue polluting while displacing responsibility onto the territories and ecosystems of least-responsible countries. False solutions are based on a narrative that mobilises the concepts of "transition" and "nature-based solutions," even though [affected communities and human rights defenders are excluded from such projects and environmental and human rights impacts are not managed](#). These schemes risk replicating colonial land-grabbing, abuses and violations under a green guise, particularly given that [69% of minerals and metals projects linked to the decarbonisation of the energy sector are located on or near Indigenous Peoples' or Peasants' lands](#).

6 - Existential urgency for Small Island States

No context more starkly illustrates the injustice of current transition frameworks than that of Small Island States. These countries contribute negligibly to global emissions yet face existential threats from sea-level rise, cyclone intensification, coastal erosion, salinisation and freshwater contamination. For these states, the transition debate is inseparable from the question of survival. Any just transition framework that does not prioritise loss and damage finance, climate-resilient reconstruction, and full participation of island state voices in decision-making processes is, structurally, a continuation of the exclusions that produced the crisis.

7 - Action-oriented recommendations for a just, orderly and equitable transition

Where the conditions are favourable — for instance, where renewable energy is already cheaper or where reduced import dependence would strengthen energy security — countries should act quickly and capitalise on these immediate advantages.

At the same time, longer-term investments in economic diversification and structural transformation must begin now, precisely because overcoming deep-rooted fossil fuel dependence is a process that unfolds over decades, not years.

Transition pathways should be tailored to national circumstances, with each country committing to move at the maximum pace its situation allows.

Dedicated grants-based finance and capacity-building support must flow to low- and middle-income countries, equipping them with the institutional and financial means to plan, invest in, and manage their transitions quickly and effectively.

International coalitions should bring together both frontrunners and slower-moving countries, fostering mutual learning and building collective momentum. Domestically, governments must work to assemble broad coalitions — spanning workers, communities, industry and civil society — capable of sustaining political will through the transition.

Finally, no new fossil fuel infrastructure should be built and/or financed. Investment must be redirected entirely towards alternatives that structurally reduce dependence on fossil fuels, rather than locking in further decades of emissions.