

BRIEFING NOTE:

BONN CLIMATE CHANGE CONFERENCE 2024 (SB60)

Integrating Human Rights into Climate Action

We are in the midst of a climate emergency, which is causing human rights violations, destroying ecosystems and biodiversity, and drastically increasing inequality across the globe. COP28 did not live up to this urgency, with a weak outcome of the first Global Stocktake failing to give a strong signal that the world needs to urgently phase out all fossil fuels and leaving many loopholes, and a flawed operationalization and limited capitalization of the Loss and Damage Fund.

At the 60th sessions of the United Nations Framework Convention on Climate Change (UNFCCC) Subsidiary Bodies (SB60) in Bonn, Parties are coming together to lay the groundwork for decisions to be made at COP29 in Azerbaijan on key topics such as climate finance, the just transition, adaptation, and the Loss and Damage Fund. Human rights standards and principles as well as approaches that prioritize equity, social and climate justice and inclusivity, are integral to ensuring that those decisions are just and intersectional, and lead to more effective and sustainable outcomes as recognized by the Intergovernmental Panel on Climate Change (IPCC).

Similar to COP28, COP29 will be presided over by a petrostate with a detrimental human rights record, demonstrating the UNFCCC's current glaring inability of dealing with conflict of interest, and a need for strong guarantees on civic space and respect for human rights in host countries.

In solidarity with Palestine

While we gather in Bonn to demand climate justice, we do not lose sight of other massive injustices ongoing in the world. Our commitment to addressing the climate crisis is rooted in a wider call for justice and does not overshadow or detract from recognizing and condemning the atrocities of the war, the illegal occupation of Gaza and the West Bank, and the unfolding genocide in Palestine.

The SB60 negotiations take place in a context where pro-Palestinian demonstrations have been restrained, repressed, and banned in countries around the world. Such actions taken to stifle protests advocating for Palestinian rights and freedom constitute clear violations of the rights to freedom of assembly and expression. Authorities in the United States and Europe, particularly in Germany, have employed violent and disproportionate measures that infringe upon the rights to peaceful assembly in support of Palestine. Germany's role in this conflict, including as one of the major military suppliers to Israel, and its repression of pro-Palestinian activism cannot be ignored and demands accountability.

We call on the German host country and the UNFCCC to guarantee the safety of all participants in the Bonn Climate Change Conference, and to respect and protect the rights to freedom of expression and assembly inside and outside the venue.

As we gather in Bonn to advance climate justice, we know there can be no justice without human rights. We stand in solidarity with Palestinians, and condemn the ongoing breaches of international law – with evidence of war crimes and crimes against humanity – by Israel and with the complicity of European countries and the United States. We call for an immediate and permanent ceasefire and an end to the illegal occupation of Gaza and the West Bank.

This briefing note outlines **the priorities of the Human Rights and Climate Change Working Group** for the Bonn Climate Conference 2024 or SB60.

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LIST OF ACRONYMS

ACE	Action for Climate Empowerment
AIM	Arrangements for Intergovernmental Meetings
BECCS	Bioenergy with Carbon Capture and Storage
CCS	Carbon Capture and Storage
CDR	Carbon Dioxide Removal
CRC	Convention on the Rights of the Child
DACCS	Direct Air Capture with Carbon Capture and Storage
GAP	Gender Action Plan
GD	Glasgow Dialogue
GGA	Global Goal on Adaptation
HCA	Host Country Agreement
ILO	International Labour Organization
IPCC	Intergovernmental Panel on Climate Change
ITMO	Internationally Transferred Mitigation Outcomes
LDF	Loss and Damage Fund
NCQG	New collective quantified goal on climate finance
NDC	Nationally Determined Contribution
JTWP	Just Transition Work Programme
SB	Subsidiary Bodies
UNFCCC	United Nations Framework Convention on Climate Change

REAL SOLUTIONS TO EQUITABLY LIMIT WARMING TO 1.5°C

While not explicitly on the agenda of SB60, a human rights-based approach to climate action critically entails an urgent, full, and equitable phase out of all fossil fuels while avoiding dangerous distractions such as geoengineering and offsets, and increased attention to the role of land and food systems, including through the protection of land and tenure rights as a climate solution. These and other aspects need to be fully integrated into Parties' updated and enhanced Nationally Determined Contributions (NDCs) expected by 2025.

Phasing out fossil fuels

The climate crisis is a human rights crisis and the production and use of fossil fuels is its primary driver. At COP28, Parties fell short of committing to what is needed: an urgent, equitable, full, and funded fossil fuel phaseout. Instead they continued to repeat previous inadequate commitments to “phasing out inefficient fossil fuel subsidies” and “accelerating efforts towards the phase-down of unabated coal power” and only committed to “transitioning away from fossil fuels in energy systems.” This is inadequate to protect human rights and protect the climate system for present and future generations given that at current levels of warming the world is already experiencing human rights violations and seeing massive losses and damages. And these will only increase if we do not leave fossil fuels in the ground. As Parties focus on the implementation of the Paris Agreement, including developing updated NDCs and considering what support is needed, committing to phasing out the production and use of all fossil fuels and all types of fossil fuel subsidies to achieve a managed, equitable, and human rights-consistent phase out of existing coal, oil, and gas production globally must be at the forefront.

No dangerous distractions

As the climate crisis has worsened, dangerous distractions ranging from offsets and carbon markets to unproven technofixes, such as carbon capture and storage (CCS), carbon dioxide removal (CDR), and marine and solar geoengineering, among others, have become increasingly prevalent. These dangerous distractions do not present real solutions, but instead largely serve to distract the world from what needs to be done – fossil fuel phaseout – and to perpetuate the fossil economy that is driving the climate crisis. Despite some claims, carbon markets do not provide much needed yet elusive climate finance. On the contrary, offsetting enables the continued production and use of fossil fuels on the theory that those emissions will be offset through purchased credits from activities elsewhere, and Parties continue to consider using carbon markets to enable technofixes, as they consider including CDR, such as direct air capture with carbon capture and storage (DACCS), bioenergy with carbon capture and storage (BECCS), and marine geoengineering, in article 6.4 activities. Comprehensive evidence indicates that these technologies are both unnecessary and costly, risky, and unjust, especially for communities directly impacted by the [environmental effects or human rights impacts](#) of geoengineering and other dangerous claimed technofixes. Numerous reports have also continued to demonstrate that carbon markets and the emissions reductions credits they

generate not only do not do what they claim, but they also harm communities. Parties must not find themselves distracted or allured by these false “solutions,” but instead should prioritize promoting proven and effective solutions backed with real public finance.

Land and food systems

The industrial food system as a major driver of the climate emergency and eco-destruction is disturbing the foundations of our ecosystems and the very basis of our food. The people and communities who most suffer the consequences of eco-destruction and climate-related impacts are those who are already most vulnerable and marginalized. These include the world’s 2.5 billion small-scale farmers, herders, fishers, and forest-dependent people who rely on land, water, and other natural resources for their survival. The 2019 IPCC special report on land recognizes the importance of land tenure security for rural communities in the climate debate. Only when their right to land and tenure systems are effectively protected, can they fulfill their role as ‘stewards of ecosystems’ that is based on their sustainable land and forest management practices (such as agroforestry and agroecology). Thus, social land reforms, i.e. recognition, restitution, redistribution, and restoration of land, that are in many places incomplete and have been neglected, are core parts of responses to climate change.

It is critical for the UNFCCC to reorient the focus on agriculture and food security towards a human rights-based approach that fosters sustainable and resilient food systems. While the [Sharm el-Sheikh joint work on implementation of climate action on agriculture and food security](#) presents an opportunity to strengthen states’ capacities for the implementation of climate action in the agricultural sector, it has been notably disappointing as it is failing to address industrial food systems. To support a just transition to agroecology, States must promote the adoption of binding transition plans that include human-rights based, gender-responsive inclusive support mechanisms for rural populations and Indigenous Peoples. The knowledge, practices, and innovations of Indigenous Peoples, peasants, small-scale fishers, pastoralists, and other rural people must be recognized and their right to effective, meaningful and informed participation guaranteed throughout the transition process.

Human rights-based Nationally Determined Contributions

Although not directly related to the Bonn Climate Conference, Parties should be reminded that taking a human rights-based approach to planning, designing, and implementing their Nationally Determined Contributions (NDCs) is critical for their effectiveness, inclusiveness, and fairness. By 2025, Parties to the Paris Agreement are expected to submit updated and enhanced NDCs. The IPCC confirmed that “adaptation and mitigation actions that prioritize equity, climate justice, rights-based approaches, social justice and inclusivity, lead to more sustainable outcomes, reduce trade-offs, support transformative change and advance climate resilient development.” If developed effectively in [a fully participatory and inclusive manner](#), with [human rights](#), including the [rights of Indigenous Peoples](#), at their center, and in a [gender-responsive](#), [child-sensitive](#) and [disability-inclusive](#) way, NDCs are a powerful tool to ensure a truly just transition away from fossil fuel production and use,

and to promote gender, racial, ethnic, disability and intergenerational justice, respect and promote labor rights, and reduce inequality both within and between countries, a prerequisite for the achievement of climate justice for all.

RESPECTING & PROMOTING HUMAN RIGHTS THROUGH KEY UNFCCC WORK STREAMS

In this chapter, we highlight key UNFCCC work streams and mandated events that are on the agenda of SB60, where the integration of human rights principles and standards is critical to progress and justice.

Third Glasgow Dialogue on Loss and Damage

The failure by countries most responsible for the climate crisis to cut their emissions effectively is already resulting in severe harms for communities and the environment. **Adequate support to remedy these harms or address loss and damage on the basis of their human rights obligations must be a priority.** This entails new and additional finance for loss and damage at the scale of needs and which does not exacerbate the existing debt crisis, delivered to affected communities in an inclusive, gender-transformative, intersectional and non-discriminatory way, ensuring that those most affected and marginalized have access to justice and remedy for the climate-related harms suffered.

The Loss and Damage Fund (LDF) established at COP27 and further operationalized at COP28 was a major win for communities, Indigenous Peoples in the Global South, civil society and vulnerable countries demanding justice for decades. However, flaws in the COP28 decision on the Fund raise concerns about the Fund's set up and its overall ability to deliver rights-based finance at scale, including to Indigenous Peoples in the Global North who are currently excluded, and much remains to be decided. Now in its first year, the new Board of the LDF is tackling critical questions that will determine the Fund's operations, and therefore its ability to meet the needs and priorities of affected communities, and respect and promote their human rights. The 3rd Glasgow Dialogue (GD3), happening during the Bonn Climate Conference on 6 and 7 June, can play an important role to ensure that a variety of perspectives are heard, and will feed into these conversations and ultimately the Board's decisions.

Recommendations for the Glasgow Dialogue:

- GD3 must include ensuring that **a variety of perspectives feed into the further operationalization of the Loss and Damage Fund** as an explicit objective. The proposed guiding questions take a broad approach by focusing on 'funding arrangements', explicit questions for the Fund must be integrated with the objective of formulating concrete recommendations for the LDF Board.
- States must use GD3 to **address the massive finance gap for addressing loss and damage**, and formulate concrete recommendations for how to scale up public finance delivery to

hundreds of billions of dollars, in line with needs. This entails looking into and providing concrete recommendations for innovative sources of finance that meet the principles of the UNFCCC, are based on the polluter pays principle, and whose burden falls on those who can afford to pay.

- The GD3 should formulate concrete **recommendations on modalities that allow for access to funding**, not just to national, sub-national and local authorities, but also directly to civil society organizations, affected communities, and Indigenous Peoples.
- **Frontline communities, Indigenous Peoples and civil society's meaningful participation** is key for GD3 and in all climate decision-making. Ensuring a diversity of voices around the table, and in terms of the experts invited, will lead to more just, effective and sustainable outcomes.
- GD3 and the policies and operations of the LDF should be **informed by human rights law and standards**, and human rights institutions and authorities must be invited to contribute effectively and provide input.

Global Goal on Adaptation

As the climate crisis is affecting human rights such as the right to health and the right to adequate housing, adaptation is essential for the realization of human rights. Despite this, less than 10 percent of all climate finance is allocated for adaptation and the majority of adaptation funding that is provided is in the form of loans, many of them non-concessional. The annual climate adaptation financing gap in developing countries is between USD 194-366 billion, approximately 10-18 times more than current [financing flows](#). Additionally, adaptation actions that take a human rights-based approach are more effective, just, and sustainable.

The Global Goal on Adaptation (GGA) must advance understanding of key strategies required to enhance adaptation action, including through an explicit focus on the most affected communities and their rights. We therefore welcome the UAE Framework for Global Climate Resilience, especially its targets around climate-resilient social sectors and its **explicit reference to human rights approaches and to ensure intergenerational equity and social justice**. The introduction of thematic targets within the UAE framework marks a significant achievement, emphasizing the strong relationship between climate change adaptation and sustainable development, especially in relation to climate-resilient sectors and essential social services. Evidence indicates that achieving nearly 70% of SDG targets by 2030 entails implementing adaptation measures.

Recommendations regarding the two-year UAE – Belém work programme:

- The UAE – Belém work programme should **address the need for global consensus building on normative definitions and standards** relating to climate adaptation and resilience for each thematic target.
- **Realize an age-, disability- and gender-responsive GGA and adaptation actions** as the climate crisis disproportionately affects those who have been made vulnerable through historic marginalization, and also consider the entire life course of children and the

challenges they face at each stage. Children’s education for climate action must also be prioritized.

- Ensure the **collection of disaggregated data**, which is crucial to ensure that no one is left behind in developing and implementing adaptation actions by engaging national statistical offices and global data custodians. This will help build on experiences from previous global indicator development processes, catalog and evaluate existing indicators and data sources, and assess national capacity to monitor adaptation indicators.
- Significantly **increase the quantity and quality of adaptation finance**, including by making linkages with the negotiations on the New Collective Quantified Goal (NCQG) (see below). The NCQG must deliver urgently with vastly increased quantity and quality of adaptation finance through scaling up public provision of grant-based, non-debt creating finance with a focus on prioritizing essential services that are critical for building the resilience of all rights holders, including the rights of children and youth, women and diverse gender groups, Indigenous Peoples, people living with disabilities and other groups made vulnerable due to marginalization and discrimination to support their survival, health and wellbeing. In doing so, the NCQG can help ensure that significant public funds are provided for the thematic targets agreed under the UAE Framework for Global Climate Resilience on health, water and sanitation, food security and nutrition, and adaptive social protection, and to those most affected by the climate crisis.

Just Transition Work Programme

The decision taken at COP27 to establish a work programme on just transition (JTWP) was important as it opened avenues to discuss the broader social and economic impacts of climate action, and the importance of leaving no one behind in the transition to low carbon and climate-resilient societies. The JTWP [as adopted at COP28](#) gives further substance to the work programme, including key human rights principles in its preamble, including “the right to a clean, healthy and sustainable environment, the right to health, 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”.

The recognition of the importance of “decent work and quality jobs in accordance with nationally defined development priorities, including through social dialogue, social protection and the recognition of labor rights” represented a step forward towards solid human rights protection in the just transition context. Parties must build on this recognition during the upcoming dialogues on the programme and create an appropriate framework for a JTWP that fully integrates and centers respect for human rights. The first ‘UAE JTWP Dialogue’ will happen in Bonn on 2 and 3 June.

Recommendations for the first UAE-JTWP Dialogue:

- For the JTWP and its Dialogues to be comprehensive, the **focus should not only be on mitigation but also on adaptation**, to adequately support, in an intersectional way, those

impacted by climate change to create sustainable livelihoods and decent work in the context of low-carbon and climate-resilient communities and societies.

- The Dialogues must ensure in the next implementing steps of the JTWP **the inclusion of provisions to respect, protect and promote human rights**, including intragenerational, intergenerational and gender equity, racial justice, respect for the rights of Indigenous Peoples, impacted local communities and migrants, and fundamental labor rights as defined by the International Labor Organization (ILO). The **knowledge, practices, and innovations of Indigenous Peoples, peasants, and rural people must also be recognized by the Dialogues** as an asset, and their right to effective, meaningful, and informed participation guaranteed throughout the transition process.
- The Dialogues should recommend that **plans and policies under the JTWP should be co-created in consultation with workers** and their trade unions and must be underpinned by the fundamental labor rights of freedom of association and collective bargaining and facilitated through social dialogue between workers and their unions, employers, and governments as established by the ILO.
- The dialogues must address the risks of human rights abuses that exist from extraction of transition minerals to the manufacturing and deployment of renewable energy projects. **Strengthening corporate accountability** is critical to build public support in a fast and fair transition. The role of the private sector should be addressed through three key elements: shared prosperity and benefit-sharing, human rights and social protection, and fair negotiations.
- It is paramount for the JTWP Dialogue to **acknowledge all forms of work as current systems devalue and marginalize life-sustaining care and informal work**, mostly performed by women¹. The Dialogues must address the need for major investments in the care economy, which is low-carbon and climate-resilient and can bring multiple social, environmental, and economic benefits, including job creation and enhanced social protections, must be a priority in adaptation and just transition measures.

[Expert dialogue on children and climate change](#)

Children are profoundly and disproportionately impacted by climate change due to their unique physiological and developmental characteristics. For example, a staggering 88% of the global disease burden associated with climate change is borne by children under the age of 5. Those living in poverty, the youngest (under five years of age), displaced children, adolescent girls, and children living with disabilities face the most serious climate consequences.

Parties to the Paris Agreement have agreed that States should, when taking climate action, respect, promote and consider the rights of children, as well as intergenerational equity. Despite this, children – comprising one-third of the global population, and half of those living in extreme poverty – are often overlooked in countries’ responses to climate change, and in deliberations and guidance

¹ [Women carry out approximately 76% of the 16.4 billion hours of unpaid care work undertaken globally. The ILO estimates](#) the value of unpaid care and domestic work to be as much as 9% of global GDP (USD 11 trillion).

emanating from the intergovernmental UNFCCC process². At COP28, the outcome of the first Global Stocktake, established an “expert dialogue on children and climate change to discuss the disproportionate impacts of climate change on children and relevant policy solutions”. We welcome the expert dialogue, being a historic milestone, as the first instance in the 30-year history of the UNFCCC that the unique and acute vulnerabilities of children are considered under the process.

Recommendations for the expert dialogue:

- We strongly encourage Parties to use this opportunity to **advance specific and actionable recommendations** on how climate policies and action at all levels can be informed by, and address, the disproportionate impacts of climate change on children and uphold children’s right to a clean, healthy and sustainable environment and other human rights, recognizing provisions of the [Convention on the Rights of the Child \(CRC\)](#), in particular its [General Comment No. 26 \(2023\) on children’s rights and the environment](#), as well as the provisions spelled out by, the [Maastricht Principles on the Human Rights of Future Generations \(2023\)](#), according to which States are obligated to respect children’s human rights in the present as well as in the future.
- We draw attention to the **need for a follow-up process** from the Dialogue to COP29 and beyond. For the sake of the world’s 2.4 billion children and future generations, it is essential to maintain focus and momentum, the sharing of good practices and capacity building of Parties on the integration of children's distinct needs and perspectives in climate policies, actions, and finance.

New Collective Quantified Goal

To date, climate finance mobilized and provided has been woefully inadequate on many levels. The new collective quantified goal (NCQG), which is to supersede the US\$ 100 billion goal from 2025 onward, is an opportunity to learn lessons from past mistakes, and focus on both quantity and quality of the finance provided.

Significantly upscaled public finance provision from developed to developing countries based on the needs of developing countries and their people and communities and best available science and accounted for in grant equivalent terms must be the substantive core of the NCQG and determine its scale. Its structure must include thematic subgoals on mitigation, adaptation, and for addressing loss and damage, and should include further targets and indicators, including on the gender-responsiveness of provision and disbursement to Indigenous Peoples, local civil society organizations, and local communities.

Provisions on human rights, including the rights of Indigenous Peoples, and related aspects such as gender-responsiveness, intergenerational justice or just transition related to core public finance provision from developed to developing countries, must be operationalized throughout sections on quantitative and qualitative elements in the draft goal, rather than relegated to a preambular section. This must

² [UNICEF expert dialogue policy briefing](#)

focus on grant and non-debt creating support for adaptation and loss and damage; simplifying and enhancing direct access to climate finance especially for local communities, Indigenous Peoples and other affected people in developing countries; and transparency in accounting of finance provided and in particularly delivered to affected communities, including through an improved operational definition of climate finance.

We appreciate the continued commitment in the third and final year of the process to determine the NCQG to conduct deliberations in remaining technical expert dialogues as well as in the upcoming meetings under the ad hoc work programme in a transparent, inclusive, and participatory manner, including through the meaningful engagement of non-party stakeholders, to develop a substantive framework for a draft negotiating text for COP29.

Recommendations for the ad hoc work programme on the NCQG:

- Parties should **elaborate and integrate key linkages of human rights**, including the rights of Indigenous Peoples, gender-responsiveness, intergenerational justice and support for just transitions, with respective quantitative and qualitative sections under a draft framework for the NCQG. This must include, inter alia, the following:
 - Scale: public finance core provision in line with a human rights-based approach **based on the aggregated needs of developing countries and their communities** for mitigation, adaptation, and for addressing loss and damage as a matter of equity both between and within countries.
 - Accessibility: **simplify and increase direct access to climate finance** with devolved decision-making to subnational and local levels for locally-led climate action, with a target for finance provided at the most local level feasible and in financing tranches at a scale and quality supportive of local actions such as through small grant mechanisms.
 - Concessionality and debt sustainability: scaling up the **public provision of new and additional, grant-based, non-debt creating finance**, especially for adaptation and for addressing loss and damage, including as full-cost grant finance to reduce access barriers and data requirements. Highly concessional and priority grant finance support allows for the fiscal space in developing countries for investments in social support and safety net programs to build the resilience of people and communities, including reducing the care burden of women as social support of last resort against climate impacts.

Carbon markets (Article 6)

Carbon market and carbon offsets have a bad track record with regard to upholding human rights and environmental integrity. At COP28, the carbon market (Article 6.2 and 6.4) negotiations collapsed as Parties had fundamentally divergent views, thus, at SB60, Parties will continue to discuss the same issues as at SB58 and CMA5. This provides an opportunity for Parties to recommit to adopting human rights compatible social and environmental rules and safeguards. As Parties focus on how to

fully operationalize Article 6.2 and 6.4, they must ensure that they are adopting the highest standards for ensuring compliance with international law, respecting and protecting human rights and the rights of Indigenous Peoples, incorporating gender considerations, protecting ecosystem integrity, guaranteeing transparency and the right to access to information, and securing environmental integrity.

Since COP28, the Article 6.4 Supervisory Body has met twice to continue its work (without additional guidance from the CMA) towards operationalizing the 6.4 carbon market. Conversations on recommendations on methodologies and activities involving removals, both of which were heavily debated and not accepted in Dubai, have been limited. Recently, the Supervisory Body rushed to adopt a flawed grievance mechanism and discussed, but did not adopt the Sustainable Development Tool. Any Sustainable Development Tool adopted must ensure compatibility with international law, respect for human rights and the rights of Indigenous Peoples, and promote gender equality, and be enforced.

Recommendations for SB60:

- Recommend and mandate **the development of an independent grievance mechanism under Article 6.2** to provide an avenue for communities, Indigenous Peoples, and other rightsholders that may be impacted by activities related to Article 6.2 cooperative approaches to have an avenue for seeking redress and to guarantee the right to remedy.
- Ensure that **all Internationally Transferred Mitigation Outcomes (ITMOs) under Article 6.2 are reviewed for compliance with Article 6.2 standards** without exception, especially corresponding adjustments to avoid double counting, and that the review of cooperative approaches is complete before any ITMOs can be transferred.
- Agree on clear and robust measures in Article 6.2 to **identify, notify, and correct inconsistencies as well as establish a high integrity reviewing procedure** for the Article 6 technical expert review team. The results of the consistency checks and reviews must be made available to the public.
- **Exclude emissions avoidance activities** from inclusion in the Article 6.2 ITMOs and Article 6.4 mechanism.
- Ensure that carbon market activities only include those that allow for rapid, genuine emission reductions and facilitate the transition away from fossil fuels, and **do not include carbon capture and storage or carbon removal activities** (whether land or engineering based).
- Recommit to ensuring that measures and rules are in place to **ensure that human rights are upheld prior to the full operationalization of the 6.4 mechanism.**
- Ensure that **Article 6.4 mechanism methodology for CDM transition prioritizes human rights**, including the rights of Indigenous Peoples, and environmental integrity.

Gender Action Plan

The enhanced Lima work programme and Gender Action Plan (GAP) (2019 - 2024) are poised for review in 2024 and for its renewal in COP29. To this end, and to gather inputs for this process, the Gender Secretariat published its [synthesis report](#) from the submissions of Parties and relevant stakeholders and is holding a mandated [three-day workshop](#) on the GAP and its progress, challenges, gaps and priorities.

This proves to be an essential year for the gender negotiations. The GAP has catalyzed gender-responsive climate action through a more comprehensive, systemic approach, while enhancing capacity-building and information sharing. However, its implementation has also faced challenges, from the siloing of gender from other negotiation streams, financial and capacity restraints for National Gender Climate Change Focal Points, implementation across thematic areas and geographical distribution, difficulties in measuring progress and lack of intersectionality. Women's human right to participate has not been fulfilled, with [gender balance stalling](#) in the climate negotiations (particularly at COP).

Recommendations for the GAP:

- Extend the timeline for the work programme and GAP. Although this second iteration of the GAP extended the timeline from 2 years to 5 years, a longer time frame of **10 years for the work programme and a five year time frame for the action plan** would allow for more effective implementation and monitoring.
- Guarantee adequate financing for the Gender Action Plan, including through the resourcing of National Gender Climate Change Focal Points. **Without financing, there can be no operationalization of the GAP.**
- **Integrate quantitative and qualitative indicators** to measure progress that are both collective and that can be disaggregated by the distinct stakeholders. These indicators must be specific, relevant, achievable, measurable and time-bound, and include gender data.
- Enhance Party-level actions to transform the GAP from a global level to local level. **The synthesis report proved that a majority of GAP-related actions are executed at a global level**, but the adoption of the GAP at a national-level through existing processes (NDCs and NAPs) and resources would increase the effectiveness of the GAP.
- Integrate intersectionality throughout the GAP, considering **people's intersecting identities** such as but not limited to race, ethnicity, class, sexual orientation, gender identity, sexual expression and characteristics, education, disability, and Indigeneity.

UPHOLDING THE RIGHT TO PARTICIPATE AND GUARANTEEING CIVIC SPACE IN CLIMATE ACTION

Freedom of expression and of peaceful assembly are critical enablers of meaningful and inclusive participation of a broad range of civil society actors and Indigenous Peoples at UN climate conferences to ensure scrutiny of governmental action, to provide diverse inputs that can shape states' decisions, and to assist knowledge sharing between global policy-making processes and the public. Yet we have witnessed severe restrictions of civic space in past COPs, and there are serious

concerns that these rights are not fully respected in SB60 host country Germany and COP29 host country Azerbaijan. This chapter zooms in on critical steps that Parties and the UNFCCC should take to realize meaningful participation and guarantee civic space in the context of climate action.

Civic space in the climate negotiations

At the 2023 Bonn Climate Change Conference (SB58), **the Arrangements for Intergovernmental Meetings (AIM) conclusions** critically confirmed that “host country agreements should reflect the purposes and principles of the Charter of the United Nations as well as respective obligations under international human rights law, and enable inclusive and effective participation of Parties and observer organizations, with a view to ensuring that UNFCCC sessions and mandated events are convened at a place where human rights and fundamental freedoms are promoted and protected, and where all participants are effectively protected against any violations or abuses, including harassment and sexual harassment.” and that “host country agreement for sessions of the COP should be made publicly available consistently with the Charter of the United Nations”. Yet attempts to obtain the Host Country Agreement (HCA) for COP28 by members of the HR&CC WG have proved fruitless.

Moreover, **yet again the Conference of the Parties will be held in a country with severe restrictions on civic space.** [CIVICUS, which tracks the state of freedom of association, peaceful assembly, and expression, classifies Azerbaijan as having “closed” civic space \(the worst category\), rating it 16/100.](#) This poses a serious challenge for respecting civil society’s rights to participation and expression during COP29. At the same time, UNFCCC rules are a [significant limitation to civic space](#) at the climate conference which further makes it difficult to guarantee effective participation.

Additionally, observers are facing increasing difficulties to enter negotiation rooms at COPs and UNFCCC budgetary restrictions are hampering civil society participation in SB60 through the decision not to provide a platform for virtual participation and the reduction in the number of side events, which will also not be routinely live-streamed.

Recommendations for civic space:

- The UNFCCC and German authorities should assure that **visas for SB60 participants will be provided in a timely manner** and that **freedom of expression and of peaceful protest for participants**, including those wishing to express peaceful views on the war in Palestine, will be respected and protected in this and future UNFCCC meetings.
- Parties should ensure that the **AIM conclusions of SB60 strengthen civic space in climate negotiations** and ensure that all current and future host countries of UNFCCC meetings uphold human rights by:
 - Insisting that **human rights guarantees are included in all HCAs**, including for COP29, and **mandating the UNFCCC Secretariat to rapidly publish all HCAs** after they have been signed, and to provide clear and easily accessible information on its website as to how to obtain copies.

- Urging **the Azerbaijani Presidency of COP29 to guarantee civic space before, during and after COP29**, to end its crackdown on civil society and journalists and to release all those arbitrarily detained, including Anar Mammadli, a prominent human rights defender who is Head of the Election Monitoring and Democracy Studies Centre and co-founder of the [COP29 - Climate of Justice Initiative](#)
- Urging the UNFCCC Secretariat to **respect all participants' rights to freedom of expression and assembly in the Blue Zone**, and facilitating the organization of advocacy actions.
- Urging host countries of UNFCCC sessions to ensure that **access to rooms for observers can be guaranteed**, including by ensuring adequate seating.
- **Strongly encouraging** Parties in a position to do so to fulfill their funding commitments and increase funding to the UNFCCC to ensure that budgetary restrictions in place for SB60 are not replicated at COP29.

Protection of Environmental Human Rights Defenders

Environmental human rights defenders are key actors contributing to the preservation of the environment, to the protection of substantive and procedural human rights including the right to a clean, healthy and sustainable environment, and advancing climate justice. Yet environmental human rights defenders are particularly vulnerable as they are exposed to various risks, challenges and arbitrary restrictions on their fundamental human rights, such as rights to life, liberty and security; freedom of expression, including access to information; peaceful assembly and association; non-discrimination; and participation in decision-making. They are exposed to surveillance, intimidation, harassment, stigmatization, threats, judicial and non-judicial persecution, heavy fines, dismissal from employment, criminalization, detention, violence and murder.

The Action for Climate Empowerment (ACE) workstream, with its six pillars of climate change education, training, public awareness, public participation, public access to information, and international cooperation is a key space to ensure attention is given to the importance of realizing procedural rights in climate action. Additionally, Parties should integrate the protection of environmental human rights defenders in other relevant work streams, and domestic plans and policies related to UNFCCC outcomes.

Recommendations for SB60:

- Ensure the **meaningful and effective participation of environmental human rights defenders**, in particular women, youth, elderly, Indigenous Peoples, and ethnic minorities, in climate-related and environmental decision-making, including by implementing the recommendations with regards to AIM mentioned above and putting in place strong participation modalities in the context of the UNFCCC, its constituted bodies, and related processes.
- **Mainstream ACE principles across all UNFCCC workstreams** and ensure that measures to ensure adequate finance for ACE are fully explored in the ACE Dialogue in a manner that

ensures that the NCQG agreement includes allocation for ACE finance;

- As parties are preparing for **the next round of NDCs**, they should ensure that their climate commitments recognize the crucial role of environmental human rights defenders and respect, protect and fulfill their rights by guaranteeing a safe and enabling environment for them to carry out their essential work.
- Guarantee to environmental human rights defenders **access to justice and effective remedy**, which includes institutional and legal reform developed in full consultation with them in all their diversity.

Conflict of interest policies

Despite a clear conflict of interest and [strong track record of human rights abuses](#), Azerbaijani oil and gas company members, including the appointed COP29 President who worked for 26 years at Socar, have joined the COP29 secretariat. This blatant demonstration of corporate capture of climate policy-making does not stand in a silo, as COP28 was [Presided over by an oil executive](#) and was attended by [a record number of fossil fuel lobbyists](#). This undermines the negotiations' potential to promote real climate solutions. Corporate capture of the UNFCCC process and other climate policy-making spaces and shrinking civic space are two sides of the same coin, and the UNFCCC must urgently put in place policies to curb these blatant demonstrations of conflict of interest.

Recommendations for SB60:

- The UNFCCC Secretariat should ramp up its efforts on preventing corporate influence in the process, **adopting an appropriate definition of ‘conflict of interest’, and a rigorous [conflict of interest framework](#)** that:
 - prevents entities with private interests from unduly influencing or undermining national and international climate policy;
 - strengthens the procedures for and transparency of admission of participants to UNFCCC meetings and those of its constituted bodies; and
 - draws on established international precedent in a manner that is appropriate for the UNFCCC context.
- In the absence of an agreed policy to address conflicts of interest and to not undermine the objectives of the UNFCCC any further, **the Secretariat should [stop inviting industry trade associations and other entities](#)** that represent and/or are beholden to the interests of polluting industries to present their views during the UNFCCC negotiation process, workshops, or other events.