

BRIEFING NOTE: COP29

Integrating Human Rights into Climate Action

We are confronting a fossil fuel-driven climate crisis that is devastating ecosystems and biodiversity, worsening global inequality, and violating fundamental human rights. Even as climate change intensifies, we still lack the necessary measures to mitigate its effects, adapt to its challenges, and remedy the harms it has caused.

Children, youth, women and girls, Indigenous Peoples, national minorities, individuals and communities facing impoverishment and dispossession, workers, persons with disabilities, older persons, refugees, migrants, those internally displaced, gender and sexual minorities including non-binary and gender nonconforming persons, and other rights-holders who often experience discrimination and intersecting forms of marginalization are not merely categories - they are lives that climate change threatens every day. This list of most affected groups is continually expanding as the climate crisis deepens.

At COP29, the primary task of the Presidency and all UNFCCC Parties is to establish a fair and ambitious climate finance goal. COP29 must result in a transformative financial outcome, as climate finance is not optional—it is essential to achieving a fair and adequate response to the climate crisis and to rebuild trust in the multilateral climate system. The New Collective Quantified Goal (NCQG) is a key opportunity to secure sufficient and equitable public finance for developing countries and vulnerable communities that disproportionately face the impacts of climate change. Developed countries have legal and moral obligations under the UNFCCC and the Paris Agreement to provide the means for implementation, enabling developing nations to take effective and ambitious climate action. Not only must they set an ambitious goal, but follow through on providing real, additional finance that reaches communities and upholds their rights. The current global financial system continues to exacerbate inequalities, maintaining profits for Global North countries while restricting the space for climate action in the Global South. This situation demands urgent and transformative change.

Once again, the COP will be hosted by a petrostate with a poor human rights record, highlighting the UNFCCC's inability to effectively address conflicts of interest and underscoring the need for strong guarantees on civic space and respect for human rights in host countries.

This briefing note outlines **the priorities of the Human Rights and Climate Change Working Group** for COP29.

In solidarity with Palestine

While we gather for COP29, the world is witnessing the devastating escalation of violence in the Middle East. The deepening humanitarian crisis, the indiscriminate killing of civilians in Palestine and Lebanon, the flagrant violations of international law, along with Israel's ongoing

unlawful occupation of the Gaza Strip, the West Bank, and East Jerusalem must end. There can be no justice without human rights, and there can be no effective climate action without peace.

As we demand climate justice, we do not lose sight of other massive injustices occurring worldwide. Our commitment to addressing the climate crisis is rooted in a broader call for justice and does not overshadow or detract from recognizing and condemning the atrocities of war, the escalation of conflict in the Middle East and the unfolding genocide in Gaza. We condemn these acts and demand full and immediate respect for international law and the protection of human rights, including access to food, water, shelter, health and humanitarian aid, as well as the rights to life, security, self-determination, and peaceful protest in solidarity with Palestine.

We join the call for an immediate and permanent ceasefire and the end of illegal occupation and apartheid. Those responsible for and complicit in war crimes and crimes against humanity must be held accountable.

As we demand climate action, we stand in solidarity with Palestinians, Lebanese, Yemenis, and anyone suffering from the escalating conflicts in the Middle East and condemn the ongoing breaches of international law by the Israeli government, with the active support and complicity of many European countries and the United States, and by other actors.

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LIST OF ACRONYMS

| | |
|----------------|--|
| ACE | Action for Climate Empowerment |
| BECCS | Bioenergy with Carbon Capture and Storage |
| CBDR-R | Common but Differentiated Responsibilities and Respective Capabilities |
| CCS | Carbon Capture and Storage |
| COP | Conference of the Parties |
| CMA | Conference of the Parties serving as the meeting of the parties to the Paris Agreement |
| DAC | Direct Air Capture with Carbon Capture and Storage |
| ELWGP | Enhanced Lima Work Programme on Gender |
| EHRD | Environmental human rights defenders |
| FPIC | Free, Prior and Informed Consent |
| FRLD | Fund for responding to Loss and Damage |
| GAP | Gender Action Plan |
| GST | Global Stocktake |
| ILO | International Labour Organization |
| IP | Indigenous Peoples |
| IPCC | Intergovernmental Panel on Climate Change |
| ITMO | Internationally Transferred Mitigation Outcomes |
| NAP | National Adaptation Plan |
| NCQG | New Collective Quantified Goal on climate finance |
| NDC | Nationally Determined Contribution |
| NGCFFPs | National Gender Climate Change Focal Points |

| | |
|---------------|--|
| JTWP | Just Transition Work Programme |
| REDD+ | Reducing emissions from deforestation and forest degradation |
| SB | Subsidiary Bodies |
| SBSTA | Subsidiary Body for Scientific and Technological Advice |
| UNFCCC | United Nations Framework Convention on Climate Change |
| WIM | Warsaw International Mechanism for Loss and Damage |

REAL SOLUTIONS TO EQUITABLY LIMIT WARMING TO 1.5°C

> National Determined Contributions (NDCs)

All Parties to the Paris Agreement have human rights obligations and have affirmed to respect, protect, and consider these – along with a range of important related aspects such as a just transition and gender equality – in the context of climate action. As the main instrument of national implementation of the Paris Agreement, Nationally Determined Contributions (NDCs) should be guided by human rights obligations, principles, and standards in their preparation, content, and implementation. This will also make them more just and effective, as confirmed by the Intergovernmental Panel on Climate Change (IPCC). If developed effectively in [a fully participatory and inclusive manner](#), with [human rights](#) at its center, including the [rights of Indigenous Peoples](#), and in a [gender-responsive](#), [child-sensitive](#), [disability-inclusive](#), and pro-worker 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. Ensuring that the NDC planning process and the NDCs include human rights considerations, empowers communities to contribute, which increases public support for climate policies and ensures their effectiveness. With the deadline for updated and enhanced NDCs approaching, COP29 is happening at a critical moment to inform the planning and design of these important climate plans.

> Fully Phasing Out Fossil Fuels

Fossil fueled hurricanes, wildfires, flooding, and droughts are wreaking havoc around the world and destroying lives and livelihoods. As the primary driver of the climate crisis, it is imperative that the world, led by Global North countries who bear the most historic responsibility, phase out fossil fuels fastly and fairly. The IPCC has indicated that we need deep, rapid emissions cuts this decade. Last year's Global Stocktake fell short of committing to an urgent, equitable, full, and funded fossil fuel phaseout and instead repeated previous inadequate commitments to “phasing out inefficient fossil fuel subsidies” and only called on Parties to transition away from fossil fuels in energy systems. This is inadequate to protect human rights and the climate system for present and future generations given violations and destruction already occurring at current levels of warming. At COP29, Parties must build on this small step and correct course by calling on Parties to commit to time-bound, full phaseout of fossil fuels, as well as support for fossil fuels (i.e. through subsidies), in their new NDCs as well as agree to an ambitious New Collective Quantified Goal (NCQG) to help enable a fast and equitable phase out of fossil fuels. Protecting human rights and minimizing or preventing further loss and damage requires keeping fossil fuels in the ground. A full, fast, fair, and funded fossil fuel phaseout is critical to protecting and respecting human rights and ensuring a just transition.

> No Dangerous Distractions

The fossil-fueled climate crisis requires real, proven, and rights-compatible action, rather than reliance on dangerous distractions. But as the climate crisis has worsened, dangerous distractions ranging from offsets produced through carbon markets to highly speculative and risky technofixes, such as carbon capture and storage (CCS), carbon dioxide removal (CDR) technologies like direct air capture (DAC) or bioenergy with carbon capture and storage (BECCS), and marine and solar geoengineering, among others, have become increasingly prevalent. Far from real solutions, these dangerous distractions delay action that must be taken – full fossil fuel phaseout – and perpetuate the fossil economy. Delayed fossil fuel phaseout as well as the dangerous distraction activities themselves can and do contribute to human rights violations. Carbon markets and offsetting enable continued production and use of fossil fuels on the promise that those emissions are offset through credits generated by activities elsewhere despite numerous reports demonstrating the opposite. And carbon markets, despite what some claim, do not provide the necessary, but elusive climate finance necessary for mitigation, adaptation, and a just transition. Once again, Parties are considering using carbon markets to enable technofixes as they consider including CDR in article 6.4 activities—a dangerous distraction within a dangerous distraction. Evidence shows that these technologies are unnecessary, costly, risky, and unjust, especially for communities, including Indigenous Peoples, directly impacted by their environmental effects or human rights impacts. Parties must not continue to be distracted or allured by these false “solutions,” but instead prioritize proven, effective, and rights-compatible solutions and the requisite public finance.

> Land & Food Systems

COP29 must advance the implementation of holistic and systemic approaches to agriculture and food systems transformation, such as agroecology, which are vital to safeguard food security while building resilience to climate impacts. Agriculture and food systems cut across many different negotiation tracks and processes at the UNFCCC. 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: the Sharm el-Sheikh Joint Work on implementation of climate action for agriculture and food security is critical to achieve this. Its online Portal should offer transparent information and avoid becoming a place of greenwashing of agroindustrial corporate actors.

Efforts in securing a rights-based agriculture and food transformation must move beyond symbolic commitments to include clear regulations and adequate financing, with clear budget allocations at the national level, particularly in support of small-scale food producers. To support a just transition to agroecology, States must promote the adoption and implementation of binding transition plans that include human-rights based, gender-responsive inclusive, disability-inclusive and pro-worker support mechanisms for rural populations and Indigenous Peoples in their NDCs and national adaptation plans (NAPs). The knowledge, practices, and innovations of those who are at the frontlines of the climate crisis, including Indigenous Peoples, peasants, small-scale fishers, pastoralists, workers and their communities, and other rural people must be recognized, and their right to effective, meaningful, and informed participation

guaranteed throughout the transition process. In addition, their right to land and tenure systems needs to be effectively protected, so that they can fulfill their role as ‘stewards of ecosystems’ based on their sustainable land and forest management practices. 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. Human rights obligations and principles, ILO Conventions and the Committee on World Food Security workstreams and policy products provide authoritative guidance to these efforts.

RESPECTING & PROMOTING HUMAN RIGHTS THROUGH KEY UNFCCC WORK STREAMS

> New Collective Quantified Goal (NCQG)

As the increasingly severe and devastating short-term and long-term impacts of climate change - such as extreme weather events and changing weather pattern, ecosystem and biodiversity loss, desertification or sea-level rise—directly threaten fundamental rights to life, health, food, water, and housing, new financial commitments to support climate actions under the Paris Agreement in the New Collective Quantified Goal on climate finance (NCQG) must adopt an approach aimed at enforcing and protecting human rights. The NCQG must not only commit to scaling up the quantum of public finance provided from 2025 on to align with the trillions per year from the Global North to the Global South as annualized reparatory payments to address the growing and enormous needs of affected developing countries and their communities, but also focus on the quality of climate finance provided and mobilized by centering compliance with human rights, gender-responsiveness, simplified and increased accessibility, a commitment to grant support, non-debt creating instruments, and improved transparency and accountability arrangements.

Marginalized groups made vulnerable through discrimination, poverty, and disenfranchisement, including Indigenous communities, women and diverse gender groups, rural populations, persons with disabilities, and poorer regions, are particularly affected, often with little access to decision-making processes and financial resources to transition to clean energy and protect ecosystems, adapt to a changing climate, and address loss and damage. Major polluters exacerbate these harms, with their emissions disproportionately impacting those least responsible for climate change. The NCQG must be based on equity and the polluter pays principle, which demand that developed countries support developing countries’ efforts in mitigation, adaptation, and for addressing loss and damage as a matter of historic responsibility and accountability for the damage done to the communities. Providing climate finance is a matter of climate justice and paying an accumulated climate debt; it's about taking responsibility and respecting human rights.

The NCQG is a crucial opportunity to put human rights at the center of climate policy.

Recommendations for COP29 negotiations:

- Establish an NCQG structure that guarantees a public finance provision goal that reflects the needs of developing countries, is predominantly provided in grants-based funding, and that flows from developed to developing countries and their

- communities. The goal should cover all thematic sub-goals of mitigation, adaptation, and loss and damage, with targets for provision of public finance for each.
- Anchor alignment with international human rights treaties in the NCQG decision throughout all operational mandates to ensure implementation through funded climate actions upholds human rights, including Indigenous Peoples' rights. A simple reference to human rights in a preambular section of the NCQG decision is not enough. Instead operational mandates must be articulated in a way to sustainably safeguard human rights and combat historically grown inequalities.
 - Cement equity and the polluter pays principle within the framework of common but differentiated responsibilities and respective capabilities (CBDR-RC)—core principles of the UNFCCC and, by extension, the Paris Agreement—as guiding principles in the NCQG, whereby countries and corporations that contribute the most to environmental degradation and have contributed the most historic emissions are held financially accountable, ensuring that they contribute to climate justice rather than placing the financial burden on those with less responsibility for emissions.
 - Recognize the importance of scaled up finance for addressing loss and damage, and establish funding for addressing loss and damage as the third financial pillar and as a thematic sub-goal on equal terms with support for mitigation and adaptation. This must include financial support for non-economic loss and damage such as providing funds for health support services, also considering psychological health, for individuals and communities impacted by climate change-related disasters and slow onset effects of climate change
 - Stipulate in the NCQG that the overwhelming majority of public finance support, and all funding for adaptation and for addressing loss and damage, is delivered in the form of grants to ensure that funding mechanisms do not increase the burden of unsustainable national debt in the Global South and mandate comprehensive debt forgiveness and debt relief to allow countries in the Global South to prioritize domestic resources for climate responses, including through the expansion of social support systems.
 - Commit to improving existing monitoring and evaluation frameworks and to developing indicators and reporting guidelines for tracking the human rights impacts of climate finance investments and funded actions.
 - Commit to simplifying and improving access, including direct access for communities, in the NCQG decision text to ensure that more financial resources are made available to affected communities to use in a self-determined manner based on needs and priorities.
 - Mandate that climate finance delivery mechanisms, such as climate funds, and implementing agencies, include Indigenous and traditional knowledge and community participation in climate finance governance to respect cultural rights and local solutions.
 - Enshrine core principles in the NCQG such as gender-responsiveness, ensuring that all climate finance supporting climate actions addresses the specific needs, priorities, and vulnerabilities of women and gender-diverse groups in climate-impacted regions and communities, and disability-inclusiveness, and mandate that climate finance

- delivery mechanisms establish frameworks for youth and children's meaningful participation in decision-making to ensure intergenerational equity.
- Promote progressive tax policies and debt cancellation as critical means to increase States' fiscal space to enable meaningful climate action.

> Global Goal on Adaptation (GGA)

As the climate crisis increasingly threatens human rights, adaptation is critical for the realization of these rights. However, adaptation finance has consistently been significantly lower than finance for mitigation and the majority of adaptation funding that is provided is in the form of loans, many of them non-concessional. Under the UAE-Belem work programme on indicators, several important considerations must be addressed. The disaggregation of data is essential for identifying and monitoring inequalities, yet the current lack of data disaggregation limits the capacity to track the impact of climate change on the most impacted groups, and, consequently, the capacity to assess and address growing inequities.

The UAE Framework for Climate Resilience delivered seven thematic targets and four policy dimension ones which, however, fail to include targets or elements of climate-resilient service to prepare for impacts of climate change on the education sector and human mobility. These omissions are particularly relevant especially given the deep impact of climate change on children's education and the potential for climate mobility to serve as an adaptation strategy.

Recommendations for COP29 negotiations:

- All work, in particular operational mandates, under the UAE-Belem work programme to be guided by human rights obligations, standards, and principles.
- Parties should request that selected experts take a participatory approach to the UAE-Belem work programme on indicators, including the perspectives of children, women, Indigenous populations, and persons with disabilities, particularly those from marginalized groups.
- Parties should advance global consensus building on normative definitions and standards relating to climate adaptation and resilience for each thematic target.
- In their efforts to refine the indicators compiled by the UNFCCC and the Adaptation Committee, the UAE-Belem work programme's experts should consider the indicators that consider the disproportionate impact on and unique needs of the most affected groups and the largest affected groups under the UAE Framework for Global Climate Resilience.
- Parties should mandate the collection and use of age-, sex- and disability-disaggregated and child-specific data in formulating indicators under each target of the UAE-Belem work programme.

> Carbon Markets

Carbon markets and the offsets they generate are a dangerous distraction from real climate action and also pose a threat to human rights. Carbon markets enable Parties, primarily in the Global North, to continue business as usual on the promise that those emissions will be offset by reduction or removal activities, primarily in the Global South. Thus, Global South countries are

increasingly taking climate action that they cannot claim, but rather benefits the Global North, and far too often the emissions reductions or removals claimed have proven inaccurate. Moreover, offsetting ongoing emissions does not actually reduce anything. Additionally, carbon market activities can and do lead to violations of human rights, including the rights of Indigenous Peoples to their lands, cultural practices, and spiritual connections to the Earth, undermining their traditions, languages and ways of life. So rather than benefiting Indigenous Peoples, women, local communities, or countries in the Global South, far too often these projects only benefit intermediaries and countries buying the credits and then harm the communities in the project area.

Under the Paris Agreement, two main carbon market mechanisms are established and continue being developed: carbon trading between countries (Article 6.2) and project-based carbon credit generation (Article 6.4). The recently adopted Sustainable Development Tool for the article 6.4 mechanism can help to prevent environmental harms and rights violations, however, it still has significant gaps, such as related to land rights and tenure. The “Standard” putting forth the requirements for activities involving removals under the Article 6.4 mechanism has far too many gaps and loopholes to effectively protect human rights and ensure environmental integrity. The requirements continue to have the same flaws that plagued the previous version presented at COP28, including having far too many elements still to be completed, particularly those related to reversals, leakage, non-permanence, and the Reversal Risk Buffer Pool. Unlike previous years, the Supervisory Body has adopted this “standard” and indicated it is now in force without the approval of the CMA and recommended that the CMA give additional guidance and merely take note of these requirements.

Parties should reject the reliance and use of carbon market mechanisms in article 6.2 and 6.4 and instead focus on real climate action and climate finance. However, if Parties continue to use and rely on carbon markets it is critical that they are enacting rules that will prevent fraud as well as violations of human rights and the rights of Indigenous Peoples and enable environmental and ecosystem integrity.

Recommendations for COP29 negotiations:

- Mandate that clear, detailed, and complete information, including on human rights related aspects, be provided about each cooperative approach under Article 6.2 at the time of authorization and well before any potential transfer of the Internationally Transferred Mitigation Outcomes (ITMOs).
- Establish clear and meaningful measures for identifying and correcting inconsistencies, including revocation of ITMOs, and if a Party has repeated inconsistencies on human rights related aspects, such as violations of human rights and the rights of Indigenous Peoples, including Free, Prior and Informed Consent (FPIC), then corrective measures must include freezing that Party’s existing ITMOs and halting any future issuance of ITMOs to it, revoking ITMOs, or canceling ITMOs
- Mandate SBSTA to establish rights-based social and environmental safeguards and an independent grievance redress mechanism under Article 6.2 for rightsholders, including Indigenous Peoples, women, local communities, persons with disabilities, among others, who may be impacted by Article 6.2 activities.

- Activities referred to in Article 5, paragraph 2 of the Paris Agreement (‘Reducing emissions from deforestation and forest degradation’ or REDD+), should not be eligible under the Article 6.4 mechanism. Evidence from existing REDD+ projects have shown recurrent issues related to permanence, reversal, additionality, leakage, and violation to the rights of Indigenous Peoples as well as local communities or others in the project area.
- Avoid technological removal activities – a dangerous distraction – and land-based removals being used for offsetting fossil fuel emissions. The CMA should explicitly reject the Supervisory Body’s attempts to circumvent oversight and direct the Supervisory Body to once again try over and actually develop requirements that will prevent harm to people and planet.

> Gender Action Plan (GAP)

This year presents the culmination point for the Enhanced Lima Work Programme on Gender (ELWGP) and the Gender Action Plan (GAP). The ELWGP and the GAP had triumphs and challenges, but in many ways they catalyzed gender-transformative action at local, national, and global levels. Thus, ELWGP and GAP review and renewal should be of utmost importance at COP29. SB60, however, produced limited results. As [stated](#) by the Women & Gender Constituency, “procedural issues led to an erosion of trust and critical divergences were left on the table – all threatening the potential for an ambitious outcome to be decided at COP29.”

The ELWGP and the GAP, two iconic milestones of the gender agenda item, need to be in the spotlight at COP29. They must not only be renewed, but [strengthened](#).

Recommendations for COP29 negotiations:

- Hold a firm stance on maintaining agreed human rights language. SB60 saw the backtracking of agreed human rights language, which would lead to a weaker decision text.
- Integrate clear indicators that allow for an adequate measure of progress within an established time frame.
- Enhance and prioritize the participation of traditionally marginalized groups, integrating an approach that considers intersecting identities such as but not limited to race, ethnicity, class, sexual orientation, gender identity, sexual expression and characteristics, education, disability, and Indigeneity.
- Clearly outline and provide support for Party-level actions in a way that is coherent to other existing processes, such as Nationally Determined Contributions (NDCs).
- Strengthen the role of National Gender Climate Change Focal Points (NGCFFPs) to further support their delegations in the integration of gender.

> Just Transition Work Programme (JTWP)

COP28 established the scope and modalities of a work programme on just transition pathways to achieving the goals of the Paris Agreement (JTWP). As part of the JTWP, Parties decided to convene a series of dialogues to promote the exchange of opportunities, best practices, actionable

solutions, challenges, and barriers among all interested stakeholders, as well as an annual high-level ministerial round table on just transition. The JTWP, in essence, has the objective to promote a shift towards a sustainable, low-carbon economy that is just and equitable for all; that recognizes and addresses the profound impact of climate change on workers and their communities while equally addressing environmental and social justice concerns and structural inequalities, and providing opportunities for the realization of human rights, including international labor rights.

Currently, many so-called climate solutions, such as geoengineering, large-scale renewable energy projects, and carbon capture, are unproven, harmful, and serve as distractions from effective solutions and ambitious climate action. These technologies and practices often replicate colonial and extractive patterns of exploitation, particularly in the Global South, while marginalizing the participation of different groups facing structural conditions of discrimination and sidelining Indigenous knowledge and local innovation. Moreover, the exploitation of transition minerals for green technologies often leads to human rights violations and environmental degradation, disproportionately affecting Indigenous Peoples and other marginalized groups.

Many countries, especially in the Global South, face insurmountable barriers to achieve a just transition. The financing system for climate action, dominated by loans, perpetuates debt and inequality, further affecting marginalized groups and communities. There is a growing call for restructuring this financial architecture to prioritize grants, debt cancellation, progressive tax policies, and equitable distribution of resources. A just transition must equitably distribute the cost and benefits of the transformation and promote better conditions for human and planetary wellbeing.

Capacity building is essential to enable countries, especially in the Global South, to develop and adopt climate technologies tailored to their local needs. This must include inclusive decision-making and empowering communities, including unions, workers, and their communities, most affected by climate policies.

All affected groups by transition policies and frameworks, especially marginalized workers and communities, must participate meaningfully in decision-making processes. This involves not only formal workers but also informal, precarious, and care workers, who are often overlooked in just transition policies.

Recommendations for COP29 negotiations:

- The JTWP must be anchored in international human rights law, including international labor standards that establish basic rights and principles at work, to guide its priorities, operationalise social and environmental safeguards and ensure democratic and participatory decision-making processes.
- Streamline the results of the dialogues and their outcomes connecting different lines of work within climate negotiations relevant to the JTWP.
- Work towards the conclusion of a concrete action plan on just transition at COP30, that would include the following elements:

- Going beyond the establishment of dialogues and creating a Just Transition Advisory Body in the UNFCCC that includes full observer constituencies membership and remains operative during intersessional sessions.
- Encouraging innovation that is rooted in community needs and ecological balance with a focus on locally-driven, gender-responsive and disability-inclusive technologies that respect Indigenous knowledge and avoid unproven and harmful solutions.
- Addressing trade barriers to necessary climate technology transfer such as intellectual property rights by reforming global trade rules and adjusting relevant laws, policies, and practices.
- Supporting the establishment of global social protection policies in climate plans.
- Putting in place and implementing safeguards to protect communities affected by critical mineral extraction, processing, and manufacturing into green technology. Prioritize the protection of human and Indigenous rights, including FPIC, and ensure equitable sharing of benefits from green technology supply chains. Emphasizing the need for Global North countries to implement demand reduction policies such as sustainable and inclusive public transportation systems to reduce the demand for transition minerals mining.
- Establishing inclusive, participatory processes that involve all workers and communities affected by the transition. Strengthen social dialogue, collective bargaining, and freedom of association to ensure that everyone has a voice in shaping just transition policies, especially those most impacted by climate change.

> Loss and Damage

Escalating loss and damage is leaving lower-income countries on their knees and harming human rights, especially of marginalized communities and groups. The adoption of the Fund for responding to Loss and Damage (FRLD) at COP27 in 2022 and the decision taken at COP28 in 2023 to operationalise it were important steps, but much more is needed.

While the operationalisation of the FRLD is progressing, there still remains a long road before those most affected communities and countries can access the funding needed. Importantly, the FRLD remains woefully underfunded in the light of the hundreds of billions needed on a yearly basis. Additionally, the World Bank was confirmed as interim host of the Fund for a period of 4 years, through an untransparent process which limited the capacity of rights-based constituencies to exercise independent oversight over the capacity of the World Bank to meet the 11 conditions set out in the COP28/CMA5 decision, amidst grave concerns posed about the bank's ability to do so. The board of the Fund still has to adopt important policies and decisions that will enable the FRLD to mobilize resources and allocate them, and that will further determine the ability of the fund to respond to the needs and priorities of those on the frontlines of the climate crisis. Such decisions in particular entail matters related to public participation, community access to funding, and putting in place human rights-based policies, mechanisms, and safeguards.

At COP29, States must renew their commitment to support lower-income countries in responding to loss and damage through additional pledges for the Fund, and by giving guidance

to all UNFCCC loss and damage mechanisms to ensure that people and groups most affected by loss and damage have access to effective remedies, in line with international law.

Recommendations for COP29 negotiations:

- Include loss and damage in the NCQG, including in the form of a (regularly reviewed and adjusted) sub-goal expressed exclusively as grants, to ensure that, once operational, the FRLD can respond to the immense needs of those on the frontlines of the climate crisis.
- Accordingly, developed country Parties must make additional pledges for the FRLD. Pledges should truly reflect their responsibility for the climate crisis and their economic capabilities to contribute, and should be new and additional to pre-existing funding under climate finance, humanitarian, and development funding. In line with the Paris Agreement, other countries who have the capacity to do so should make voluntary contributions.
- Provide guidance to the Board of the FRLD to develop core operational modalities in line with human rights principles and standards such as meaningful and effective public participation, safeguards and accountability mechanisms, and community access to the FRLD, and to ensure that the World Bank, as an interim host, fully meets the 11 conditions set by the COP28/CMA5 decision.
- Issue guidance to the FRLD board to ensure adequate capitalisation of the Fund in line with the needs of hundreds of billions USD per year, and access to funding for and meaningful participation in decision-making of Indigenous Peoples, frontline communities, local CSOs, persons with disabilities, and groups experiencing marginalization.
- Ensure that the third review of the Warsaw International Mechanism for Loss and Damage (WIM) contributes to ensuring adequate coordination and coherence between the different entities with a mandate relevant for addressing loss and damage, including UN human rights mechanisms, strengthens the integration of human rights across UNFCCC loss and damage mechanisms, and issues guidance for the production of an annual loss and damage gap report.
- Enable the effective operationalization of the Santiago Network by ensuring that more pledges towards resourcing come in and that those are translated into actual contributions, and ensure that the minimum percentage for direct community access of grants for technical assistance is not a tokenistic amount.

> Global Stocktake

The conclusion of the first Global Stocktake (GST) at COP28 was an important step in relation to new forms of observer participation in the technical phase; and the first ever inclusion of the need to transition away from fossil fuels in the energy sector, despite the inclusion of a number of loopholes that severely weakened the commitment. However, the outcome failed to mainstream human rights throughout and to give clear guidance to states on how to ensure their next NDCs are human rights compliant. The GST outcome decision also failed to adequately provide a comprehensive monitoring and follow up mechanism for the elements contained within it, which is essential to enable monitoring and mitigation of any human rights impacts. There are

divergent positions on whether the UAE dialogue established at COP28 should only cover climate finance or also cover other aspects of the GST decision. The modalities for the dialogue were not agreed at the Bonn Climate Conference and remain open for agreement at COP29, as are the modalities for the second global stocktake, due to conclude in 2028. For it to be an effective process that contributes to the achievement of climate justice, the second GST must mainstream human rights standards throughout.

Recommendations for COP29 negotiations:

- Agree on concrete measures for the implementation and review of the GST that mainstreams human rights, including the rights of Indigenous Peoples, as well as gender equity considerations, including by:
 - Convening a ministerial dialogue on the GST in January 2025 with a view to agreeing on the modalities and timing for a UAE dialogue on implementing the GST outcome addresses all of its elements, as well as mobilization of the finance needed to ensure equitable, human rights-based and adequately resourced responses to climate change.
- Agree on modalities for the second GST that place human rights at its heart, so that it promotes climate, racial, and gender justice. Ensure it:
 - Is science-based, including Indigenous and traditional knowledge, and drawing on diverse expertise;
 - Promotes equity and inclusion; and take a whole of society approach, including the establishment of a Peoples' Assembly for the Global Stocktake;
 - Considers loss and damage separately from adaptation;
 - Is coherent and iterative across all stages of its process;
 - Takes into account the risks posed by reliance on risky and unproven technologies that will undermine the rapid and equitable fossil fuel phase out required and prevents undue influence from the fossil fuel industry.

GUARANTEEING CIVIC SPACE IN CLIMATE ACTION

> Civic space in climate negotiations

Shrinking civic space globally is limiting the right to freedom of expression and peaceful assembly. According to [CIVICUS](#), 73% of countries are experiencing "closed" or "obstructed" civic spaces, meaning that freedoms of association, peaceful assembly, and expression are severely restricted, a significant decline from previous years. Environmental human rights defenders (EHRD) - often calling for climate justice - are among those most targeted, and also pro-Palestinian demonstrations have been restrained, repressed, and banned in countries around the world, particularly in the global North. This shrinking civic space can lead to distrust between governments and citizens, undermining collaborative efforts to address climate change.

COP29 will be held [in a country with severe restrictions](#) on civic space. Particularly alarming are the arrests that have taken place in Azerbaijan over the last year in the run up to COP29, seeking to silence dissenting voices in the country before the conference. Reports that participants

seeking to attend international meetings earlier in the year were [barred from entering Azerbaijan](#) are also deeply concerning, as are reports of extremely high accommodation costs. This poses a serious challenge for environmental democracy, and respecting the rights to free expression and to public participation during COP29. UNFCCC rules have also proved to be a significant limitation to civic space at previous COPs, in particular COP28, which further makes it difficult to guarantee effective participation.

Recommendations for COP29 negotiations:

- The UNFCCC and COP29 host should ensure that logistical arrangements actively facilitate participation and meet accessibility requirements of persons with disabilities, including timely visas for registered participants, availability of adequate affordable and accessible accommodation, full, effective, accessible, and meaningful remote participation modalities, accessible interpretation services, adequate seating in meeting rooms, and guaranteeing the participation and safeguarding of children in all COP29 spaces.
- The UN, the UNFCCC Secretariat, and COP29 host should guarantee the full respect of the freedom of expression and of peaceful protest for all participants, including those wishing to peacefully express views on the human rights costs of fossil fuels extraction, the killing and dispossession or loss of life and displacement of innocent people in countries like in Sudan, DRC, and Palestine; and on the human rights situation in the host country, and that these rights will be protected at COP29, and in all future UNFCCC meetings.
- The COP29 host should guarantee civic space before, during, and after COP29, to end its crackdown on civil society and journalists and to immediately release all those arbitrarily detained and to make public the steps that it has taken to do so.
- The COP29 Presidency should establish a contact point within their delegation to respond in real time to any threat or incident related to civic space during the COP through appropriate channels.
- The UNFCCC Secretariat and the COP29 host should immediately publish the COP29 Host Country Agreement, in line with the AIM conclusions of SB58 and SB60.
- The UNFCCC Secretariat should respect all participants' rights to freedom of expression and assembly in the Blue Zone, facilitate the organization of advocacy actions without imposing onerous conditions that undermine those rights and to identify and publicize a focal point for reprisals, with a mandate to collect information, to share it with the UN Assistant Secretary-General for Human Rights, and facilitate redress.

> Protection of Environmental Human Rights Defenders

EHRDs are at the forefront of advocating for the urgent actions needed to address the triple planetary crisis. However, they are paying with their lives, livelihoods, and basic human rights in attempting to safeguard their land, the climate and everyone's right to a clean and healthy environment. According to the [latest report from Global Witness](#), 196 defenders were murdered in 2023 for their environmental activism, bringing the total number of killings to over 2,106 globally since Global Witness started reporting data in 2012. Across the world we are seeing an exponential rise in violence, harassment, stigmatization, and the enactment of legislation aimed

at criminalizing defenders and restricting their participation, especially within the context of the climate action and energy transition.

According to [the IPCC](#), the decisions and actions we take in this decade will have long-term impacts on our environments and lands. Members of Indigenous Peoples and of local communities, most impacted by climate change and environmental exploitation, are the most visible and vocal EHRDs: not only do they speak out against carbon-intensive industries, but they also expose harmful business practices that undermine fundamental human rights, environmental protections, and land tenure.

There is an urgent need to recognise the role of EHRDs in addressing climate change; protection and expansion of defenders' rights including the rights to freedom of association, assembly, expression, and privacy; and their meaningful participation at both the local and multilateral level to achieve climate justice. An enabling environment for civil society and EHRDs is essential for safeguarding environmental democracy, addressing the climate crisis and ensuring a just transition.

Recommendations for COP29 negotiations

To ensure that COP29 effectively contributes to the recognition and protection of EHRDs, all Parties to the UNFCCC must commit to:

- Implementing an urgent transition away from fossil fuel production and consumption; centring the rights of EHRDs in JTWP negotiations.
- Ensuring the meaningful and effective participation of EHRDs, in particular women, youth, elderly, Indigenous Peoples, persons with disabilities, and ethnic minorities, in climate-related and environmental decision-making and recognizing the important role of, and the need to increase protection of, EHRDs to effectively enhance the ambition of the Paris Agreement. This includes ensuring the meaningful and effective participation of EHRDs and communities in the preparation, implementation, and monitoring of new NDCs.
- Making supporting civil society's participation in global climate decision-making a foreign policy priority, including by increasing political and diplomatic efforts to protect EHRDs as well as climate activists.
- Guaranteeing EHRDs' access to justice and effective remedy, which includes institutional and legal reform developed in full consultation with them in all their diversity.
- Mainstreaming ACE principles (climate change education, training, public awareness, public participation, public access to information, and international cooperation) across all UNFCCC workstreams and ensure the NCQG agreement includes allocation for ACE finance since these pillars highlight the importance of realizing EHRDs' procedural rights in climate action.

> Conflict of interest

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 COP29 negotiations:

- 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.
- The UNFCCC should establish clear guidelines governing the use of the COP brand in host country initiatives to prevent misuse that could imply endorsement of fossil fuel interests or policies that contradict UNFCCC goals. The Host Country Agreement as well as any contracts involving corporations and organizations granted (Green Zone) partner or exhibitor status should be published on the UNFCCC website.