

# AMNESTY INTERNATIONAL

## RECOMMENDATIONS TO PARTIES TO THE UNFCCC

### ON HUMAN RIGHTS CONSISTENT CLIMATE ACTION IN 2025

This document provides recommendations for parties to the UN Framework Convention on Climate Change (UNFCCC) and to the Paris Agreement which would help put human rights front and centre of all climate action and decision making at COP30 in Belém, Brazil in November 2025. To do so will result in more effective and more sustainable outcomes; remedies for unavoidable harms; reductions in historic inequalities often stemming from racist and colonial legacies; and will point the way towards climate justice for all, one of the key priorities for the Brazilian presidency. A full, fast, fair and funded fossil fuel phase-out as part of a just and equitable transition towards renewable energy, and a massive scale up of climate finance in line with the polluter pays principle, together with reform of the global financial architecture, are urgent and essential. It is an update of the advocacy briefing published in May 2025 ahead of the June Climate Conference held in Bonn, Germany.<sup>1</sup>

#### KEY HUMAN RIGHTS RECOMENDATIONS FOR CLIMATE ACTION IN 2025

- **Put human rights at the heart of all climate action decision making** to ensure a rapid, equitable and just transition away from all fossil fuel extraction, production and use to zero carbon economies that reduce inequalities between and within countries.
  - Fully integrate the recent **International Court of Justice Advisory Opinion** into all COP30 decisions.
- Ensure that COP30 decisions and the Baku to Belém Roadmap clearly outline how all states in a position to do so will **massively scale up needs-based climate finance**, particularly for adaptation and loss and damage, in the form of grants, not loans, with those most responsible for emissions contributing the most.
  - Provide **adequate funding based on the polluter pays principle for the Fund for Responding to Loss and Damage** to enable affected people in lower income countries to effectively access resources.
  - Ensure provision of **adequate finance for all aspects of just transition**.
  - Include **indicators on finance, technology transfer and capacity building in the UAE-Belém Work Programme** on adaptation indicators
  - **Equitably transform global systems of development finance, taxation, and public and private investment** to provide additional sources of finance and to increase fiscal space for climate action.
  - Ensure **debt restructuring** for countries that need it.
- As part of the needed just transition, commit to a **full, fast, fair, and funded fossil fuel phase out** across all sectors, without relying on risky and unproven technologies or offsets that do not lead to genuine emissions reductions.
  - Continually **revise and update Nationally Determined Contributions (NDCs)** to ensure that they are human rights compliant and will keep global warming below 1.5°C above pre-industrial levels, with high income historical emitters, other high emitting G20 countries, and other high income fossil fuel producers going furthest and fastest.
- **Protect civic space**, including at UNFCCC meetings, for civil society, including children and youth, women, people with disabilities and Indigenous Peoples from all countries to be able to participate meaningfully and without discrimination, and **strengthen protections for environmental human rights defenders**.
  - All states must press for the respect, protection and fulfilment of the human rights to **freedom of expression, association and peaceful assembly** in Brazil ahead of COP30, and demand meaningful improvements in the human rights situation in Azerbaijan, the outgoing president.

<sup>1</sup> Amnesty International, *Recommendations to Parties to the UNFCCC on Human Rights Consistent Climate Action in 2025*, 6 May 2025, Index: IOR 40/9271/2025, <https://www.amnesty.org/en/documents/ior40/9271/2025/en/>

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# ROOTING DECISIONS IN HUMAN RIGHTS LAW AND STANDARDS FOR CLIMATE JUSTICE

Protection of, and respect for, human rights are essential for effective climate action, as noted by the Intergovernmental Panel on Climate Change (IPCC).<sup>2</sup> This is all the more essential in light of the ongoing emissions gap which led to the world breaching the threshold of 1.5°C of global heating above pre-industrial levels for the first time in 2024. Ongoing human rights harms will escalate dramatically if global heating is not kept in check – which is still possible.<sup>3</sup> The Paris Agreement preamble includes references to human rights law and standards,<sup>4</sup> but regrettably, attention to human rights in COP discussions and decisions since then have remained limited and have been opposed by some parties.

## ADDRESSING STRUCTURAL INEQUALITIES TO ACHIEVE CLIMATE JUSTICE

### CLIMATE JUSTICE

**Climate justice** is a framework used by civil society organizations across the world to acknowledge that the climate crisis is not only an environmental issue. It is a crisis rooted in and exacerbated by inequalities. Climate change is an injustice: it is the result of powerful people taking actions that inflict harm on everyone else. A climate justice approach looks at the root causes of the climate crisis and calls on powerful actors to address these imbalances and develop a future beyond fossil fuels that fully respects and protects human rights for all generations, now and to come. The future should not replicate the extractivism and discrimination of the present and the past. They not only deepen historical inequalities but also create new forms of exclusion and vulnerability. Recent studies show that mortality from climate disasters is up to 15 times higher in vulnerable regions; for example, exposure to droughts and floods in Latin American cities is expected to double by 2030.<sup>5</sup> The rising cost of energy, food, and basic services, driven by extreme events, further pressures low-income families, leading to food insecurity, forced migration, and loss of livelihoods. The IPCC warns that even with the implementation of the Paris Agreement targets, the harmful impacts on vulnerable populations will continue to grow, requiring robust and inclusive adaptation and social protection policies.

The achievement of climate justice demands that public policies and mitigation and adaptation actions be designed to address these inequalities, prioritizing the rights and needs of those most affected. This includes ensuring meaningful participation, access to information, reparation mechanisms, and the inclusion of traditional and community knowledge in decision-making processes. Without addressing the roots of social and racial injustice, it is not possible to build a just and integrated energy transition that will deliver climate justice for all.

### GENOCIDE AND THE LINK TO CLIMATE JUSTICE

As parties prepare to gather in Belém for COP30, there is a fragile ceasefire in place in Gaza, which has seen the return of all living Israeli hostages by Hamas and the release of hundreds of Palestinians imprisoned or detained by Israel. The two-year long assault on the Palestinian people in Gaza - including the destruction of homes, agricultural systems, water infrastructure, hospitals, and energy networks - remains one of the gravest violations of international law in the 21st century. Gaza is effectively uninhabitable, and its people have been deliberately starved by Israel. Recent months have also seen stepped up Israeli actions against Palestinians in the West Bank.

<sup>2</sup> The Summary for Policymakers of the IPCC's synthesis report of its sixth assessment cycle states that "Adaptation and mitigation actions that prioritise equity, social justice, climate justice, rights-based approaches, and inclusivity, lead to more sustainable outcomes, reduce trade-offs, support transformative change and advance climate resilient development," Section C.5.2, <https://www.ipcc.ch/report/ar6/syr/summary-for-policymakers/>

<sup>3</sup> An assessment of how human rights were undermined at COP29, please refer to the earlier 5 May 2025 version of this briefing, previously cited.

<sup>4</sup> Paris Agreement, UN Doc. FCCC/CP/2015/10/Add.1

<sup>5</sup> Joern Birkmann et al., *Understanding human vulnerability to climate change: A global perspective on index validation for adaptation planning in Science of The Total Environment*, Volume 803, 2022, available at <https://doi.org/10.1016/j.scitotenv.2021.150065>

As Amnesty International and others have documented, these actions constitute the international crimes of genocide and apartheid.<sup>6</sup> The rights to life, health, food, water, sanitation, education, and to a clean, healthy, and sustainable environment are being systematically violated. The failure to prevent this genocide, conducted in the full glare of the world's media, is intimately connected to climate and other forms of injustice and parties must use whatever influence they have at all possible opportunities, including at COP30, to end the ongoing occupation of Palestinian territory and to enable the Palestinian people to live lives of dignity, now and in the future.

## ESSENTIAL PROGRESS NEEDED AT COP30

### JUST TRANSITION

Encouraging progress was made in regards to the **Just Transition Work Programme (JTWP)**<sup>7</sup> at the 2025 June Climate Conference (SB62). It is imperative that positive elements on human rights in the draft text that will be discussed and agreed are maintained in order to reach a robust decision on just transition that will put climate justice at the heart of international climate governance. The decision should establish a new mechanism – the Belém Action Mechanism for Just Transition (BAM)<sup>8</sup> - to accelerate progress towards a holistic, inclusive and human rights compliant transition across all elements of the informal and formal sectors including fossil fuel phase-out, the renewable energy sector, agriculture and food systems and the care economy (which requires a systematic, institutional and domestic recognition, reorganization and redistribution of work that enables social provisioning and reproduction, currently mainly carried out by women and gender diverse people.<sup>9</sup> Parties should also commit to developing fully costed just transition plans in line with the above elements and to incorporating them into their NDCs.

### ADAPTATION

Climate adaptation measures are an essential part of reducing the impact of climate harms on the enjoyment of human rights by affected individuals, communities and peoples. Deep seated disagreements over the UAE-Belém Work Programme on adaptation indicators seen at COP29 continued throughout the 2025 June Climate Conference, but in the final hours, agreement was reached on draft conclusions that instructed the group of experts working on draft indicators for the Global Goal on Adaptation to further narrow the indicators to no more than 100, including “means of implementation”<sup>10</sup> that should capture information about social inclusion, Indigenous Peoples, participatory processes, human rights, gender equality, migrants, children and young people, and persons with disabilities. However, the draft text does not strengthen the weak language of the UAE Framework on Climate Resilience which only encourages parties, when taking action within the UAE Framework, to “take into account, where possible” human rights and gender responsive approaches.<sup>11</sup> COP30 must see the full operationalization of a robust **Global Goal on Adaptation**, with scaled up adequate finance targets linked to the New Collective Quantified Goal (NCQG) and the Baku to Belém road map to 1.3 trillion (B2B road map).

<sup>6</sup> See for example, Amnesty International, *Israel/Occupied Palestinian Territory: 'You Feel Like You Are Subhuman': Israel's Genocide Against Palestinians in Gaza*, 5 December 2024, Index: MDE 15/8668/2024, <https://www.amnesty.org/en/documents/mde15/8668/2024/en/> and *Israel's apartheid against Palestinians: Cruel system of domination and crime against humanity*, 1 February 2022, Index: MDE 15/5141/2022, <https://www.amnesty.org/en/documents/mde15/5141/2022/en/>

<sup>7</sup> UNFCCC Decision 3/CMA.5, United Arab Emirates Just Transition work programme, [https://unfccc.int/sites/default/files/resource/cma5\\_auv\\_5\\_JTWP.pdf](https://unfccc.int/sites/default/files/resource/cma5_auv_5_JTWP.pdf).

<sup>8</sup> For further details of the cross-constituency proposal for the BAM, see Climate Action Network International, Discussion Paper: The Belém Action Mechanism for a global just transition (BAM): Why and How, October 2025, <https://climatenetwork.org/resource/discussion-paper-belem-action-mechanism-october-2025/>

<sup>9</sup> See for example, The Asia Foundation, Canada's International Development Research Centre (IDRC), and Fundación Avina, *Climate Change and Care Work: Integrated Solutions for Intersecting Crises*, January 2025, <https://www.wocan.org/resource/climate-change-and-care-work-integrated-solutions-for-intersecting-crises/>

<sup>10</sup> Means of implementation under the Paris Agreement include finance, technology transfer and capacity building (Articles 9,10 and 11).

<sup>11</sup> UNFCCC, *Report of the Subsidiary Body for Implementation on its sixty-second session, held in Bonn from 16 to 26 June 2025: Global Goal on Adaptation*, 19 August 2025, UN Doc. FCCC/SBI/2025/11, paras 94-95, [https://unfccc.int/sites/default/files/resource/sbi2025\\_11adv.pdf](https://unfccc.int/sites/default/files/resource/sbi2025_11adv.pdf)

One worrying trend is the continued **push back on expansive and inclusive references to gender, Indigenous Peoples, local communities, human rights, and racial and ethnic minorities** in adaptation negotiations. Amnesty International supports the views of the Women and Gender Constituency that “no adaptation measure can be impactful without the inclusion and leadership of women in all their diversity across the world” and that it is essential to move beyond merely “gender-sensitive” approaches, requiring a move to higher ambition encompassed in “gender-responsive” actions.<sup>12</sup> Amnesty International also encourages parties to take a much deeper intersectional approach in their negotiations, to ensure that frontline and fenceline communities, who are often already highly marginalized and suffer from environmental racism,<sup>13</sup> are suffering the worst impacts on their rights from fossil fuel extraction, production and use as well as the resulting climate change are placed front and centre of adaptation policies, planning and implementation.

## SECOND GLOBAL STOCKTAKE

**Modalities for the second Global Stocktake (GST)**, due to conclude in 2028, were left pending at the 2025 June Climate Conference. These must be agreed by COP30 and place human rights at its heart, so that the process promotes climate, racial and gender justice. The second GST must be science-based, drawing on different forms of expertise; in this regard, it should be aligned with the IPCC 7th Assessment Reports in order to be able to reflect the best and most recent climate science. It must also align with implementation of climate finance targets, including by incorporating the findings of the Standing Committee on Finance’s<sup>14</sup> biennial NCQG Progress Review. It must also promote equity and inclusion, taking a whole of society approach; separate consideration of loss and damage from adaptation; and must also ensure a coherent process that enables each phase to build on the one before. It must also avoid reliance on risky and unproven technologies and take a robust stance on conflict of interest to avoid undue influence from the fossil fuel industry, in order to avoid undermining the rapid and equitable fossil fuel phase out needed. The establishment of regional ‘GST People’s Assemblies’, co-organized with civil society and Indigenous Peoples, for the GST could help create such a process by helping to mainstream diverse civil society and grassroots perspectives throughout GST2, leading to more effective outcomes. The process should also include reflections on the situation of environmental human rights defenders (EHRDs) who are persecuted around the world for their activism and ensure that protection for EHRDs and their work, which is essential for achieving climate justice,<sup>15</sup> is an integral part of the GST2 outcome and implementation.

## WARSAW INTERNATIONAL MECHANISM ON LOSS AND DAMAGE

Parties also failed to conclude the review of the Warsaw International Mechanism on Loss and Damage (WIM) at the 2025 June Climate Conference, postponing it to COP30. The review is an important opportunity to ensure adequate coordination and coherence between the WIM, the Santiago Network for Loss and Damage (SNLD) and the Fund for Responding to Loss and Damage (FRLD), in coordination with the annual High-level Dialogue on complementarity and

<sup>12</sup> Women and Gender Constituency, *SB62 Exit Statement*, 10 July 2025, <https://womensgenderclimate.org/sb62-exit-statement/>

<sup>13</sup> Environmental racism is any environmental policy, practice, law or regulation that differentially affects or disadvantages (whether intentionally or unintentionally) individuals, groups or communities based on race, skin colour, Indigeneity, descent or national or ethnic origin.

<sup>14</sup> The UNFCCC established a financial mechanism to provide financial resources to lower income states for activities, programmes and measures relating to climate change. The mechanism includes a number of special funds and its operating entities: the Global Environment Facility (GEF) and the Green Climate Fund (GCF). The financial mechanism also serves the Kyoto Protocol and the Paris Agreement (see UNFCCC, “Funds and Financial Entities”, <https://unfccc.int/process-and-meetings/bodies/funds-and-financial-entities>). The Standing Committee on Finance was established at COP16 to help improve coherence and coordination in the delivery of climate change financing, rationalization of the Financial Mechanism, mobilization of financial resources and measurement, and reporting and verification (MRV) of support provided to lower income states (see UNFCCC, “About the Standing Committee on Finance”, <https://unfccc.int/topics/climate-finance/funds-entities-bodies/standing-committee-on-finance/about-the-standing-committee-on-finance>). The SCF is mandated to provide a biennial report on finance flows.

<sup>15</sup> For further information on why open civic space and human rights defenders are essential for climate justice, see Amnesty International, *Civic space and environmental human rights defenders: Essential for achieving climate justice*, 23 October 2025, Index: POL 32/0173/2025, <https://www.amnesty.org/en/documents/pol32/0173/2025/en/>

coherence mandated at COP28. 16 Parties should ensure that the review is concluded in a way that clearly defines the WIM's role in relation to the FRLD, and, in particular, clarifies how the WIM should contribute to supporting the FRLD. A useful outcome of the review would be a mandate for the preparation of an annual "State of Loss and Damage Report", similar to the Adaptation Gap Report produced by UNEP.

## UNFCCC REFORM

Once again at COP29, the negotiations were overshadowed by the undue influence of the fossil fuel<sup>17</sup> and other associated industries such as those promoting risky and unproven technologies, including carbon capture and storage (CCS), whose numbers grew at COP29.<sup>18</sup> This demonstrates the urgent need for UNFCCC reform, including the development and implementation of an accountability framework as soon as possible, including a clear **Conflict of Interests Policy for the UNFCCC**, that prevents entities with private interests – such as the fossil fuel and CCS industries – from influencing COP negotiations in ways that undermine the objectives of the UNFCCC and the Paris Agreement and harm the enjoyment of human rights.<sup>19</sup>

## GENDER ACTION PLAN

On a more positive note, parties made good progress towards drafting a new **Gender Action Plan (GAP)** that is expected to be finalised and adopted at COP30. Gender and racial inequalities are deeply intertwined with climate vulnerability. The IPCC has highlighted that in Latin America, the region where COP30 will be held, female heads of household, Black and Indigenous people, and informal workers are the most affected by extreme events, with limited access to adaptation resources, credit, and social protection. Women—especially Black, Indigenous, and rural women—are on the front lines of climate impacts but remain underrepresented in decision-making spaces and face heightened risks of violence, displacement, and loss of livelihoods. The exclusion of women and girls from adaptation and mitigation processes limits the effectiveness of responses and perpetuates cycles of poverty and discrimination.

Positive elements in the draft GAP include capacity building for the national gender climate change focal points and other key stakeholders; targeted gender mainstreaming efforts within the UNFCCC including finance negotiations; systematic inclusion of gender considerations into policies, plans, strategies and actions at national and sub-national level; awareness campaigns at all levels; raising awareness of sexual and reproductive health and rights, unpaid care work, and gender-based violence in the context of gender and climate change; references to the protection and leadership of women environmental human rights defenders (WEHRDs); integration of traditionally marginalized groups (such as women of African descent, women with disabilities, and women in rural communities); and a mention of gender-diverse people.<sup>20</sup>

Effective climate policies must ensure substantive equality, full participation, and specific protection for women and girls, as well as integrate gender and race perspectives at all levels of planning and implementation. A strong GAP that puts the leadership of frontline communities front and centre, represents an opportunity to advance transformative measures, address structural barriers, and promote intersectional justice. It will contribute to ensuring that states' climate action measures uphold women and girls' rights and will also provide a counterweight to the growing tide of authoritarianism that risks undermining progress towards both climate and gender justice within the UNFCCC.

<sup>16</sup> UNFCCC, Decision 1/CP.28 and 5/CMA.5, "Operationalization of the new funding arrangements, including a fund, for responding to loss and damage referred to in paragraphs 2-3 of decisions 2/CP.27 and 2/CMA.4", Annex II, paras. 11-16, previously cited

<sup>17</sup> At COP29, at least 1773 fossil fuel lobbyists were registered as participants, outnumbering almost every country delegation. Kick Big Polluters Out, "Fossil fuel lobbyists eclipse delegations from most climate vulnerable nations at COP29 climate talks", 15 November 2024, <https://kickbigpollutersout.org/COP29FossilFuelLobbyists>

<sup>18</sup> At least 489 lobbyists for companies and groups that advocate for CCS, an unproven technology that cannot be scaled up in time to reduce emissions to the levels needed to prevent the worst climate harm, were registered at COP29. Reliance on CCS as a solution to the climate crisis will only prolong the urgent fossil fuel phase out that is needed. Center for International Environmental Law, "Growing Fossil Fuel Influence Exposed: 480 Carbon Capture Advocates at COP29", 16 November 2024, <https://www.ciel.org/news/ccs-presence-cop29/>

<sup>19</sup> Joint statement, *Reclaiming Climate Justice: United Call for an Urgent Reform of the UN Climate Talks*, 23 June 2025, available at: <https://www.amnesty.org/en/documents/ior40/9530/2025/en/>

<sup>20</sup> UNFCCC, *Informal Note: Gender and climate change*, Version 25/6/2025 13:00, <https://unfccc.int/documents/648485>

## The International Court of Justice's Advisory Opinion on climate change

On July 23, 2025, the International Court of Justice issued a historic advisory opinion (ICJAO) on states' obligations in the face of the climate crisis, providing a robust reaffirmation and consolidation of existing human rights and other legal obligations.<sup>21</sup> The Court affirmed that states have a binding legal duty to prevent significant harm to the climate system and to protect human rights from the adverse effects of climate change, including by providing climate finance. This duty is grounded in various sources of international law, including the UN Charter, the UNFCCC, the Paris Agreement, customary international law, and international human rights treaties. The ICJAO reaffirmed that States must act with the highest ambition to keep global warming within the 1.5°C limit, and that failure to adopt effective mitigation and adaptation measures may constitute an "internationally wrongful act", generating legal responsibility and an obligation to provide reparation. The opinion emphasized the principle of equity, including intergenerational equity and common but differentiated responsibilities and respective capabilities.<sup>22</sup> It also recognized that the impacts of the climate crisis fall disproportionately on vulnerable groups - Indigenous peoples, racialized communities, women, children, persons with disabilities, and informal workers - requiring States to adopt an intersectional, rights-based approach.

There must be no more missed opportunities: states' human rights obligations must guide all climate decisions, both nationally and internationally. COP30 decisions must fully take the ICJAO into account.

### RECOMMENDATIONS

#### Ahead of COP30 in November 2025, Amnesty International calls on all parties to the UNFCCC to:

- Put people and their human rights, including the rights of Indigenous Peoples, at the centre of all UNFCCC negotiations and decisions with a view to achieving social, racial, gender and climate justice.
  - All decisions must integrate the ICJ Advisory Opinion on climate change, including by referencing relevant human rights obligations, principles and standards, and ensuring the respect, protection, promotion and fulfilment of human rights.
- Ensure that the references to human rights included in previous COP decisions are translated into effective measures to respect, protect and fulfil human rights in climate action, including:
  - Ambitious measures to phase out fossil fuels and limit global warming below 1.5°C through a just transition in all sectors;
  - The speedy provision of adequate, new, additional and predictable finance from high income historically high emitting countries<sup>23</sup> and other countries in a position to do so, including high income G20 members<sup>24</sup> and high income fossil fuel producers, to support lower income countries in

<sup>21</sup> International Court of Justice, *Advisory Opinion: Obligations of States in respect of Climate Change*, 23 July 2025, <https://www.icj-cij.org/case/187>

<sup>22</sup> The principle of Common but Differentiated Responsibilities and Respective Capacities recognises the differentiated responsibilities and capabilities of countries in addressing climate change, by acknowledging the historical contribution of higher income states to global greenhouse gas emissions and the greater capacity of these states to mitigate climate change and adapt to its impacts. It is also the basis for the obligation of these states to provide climate finance.

<sup>23</sup> UNFCCC "Annex II countries" - industrialized "developed" countries with the highest historical responsibilities for GHG emissions, except for economies in transition such as the Russian Federation, the Baltic States, and several Central and Eastern European States, have the obligation to provide climate finance to "developing" countries in need of assistance. Under the Paris Agreement, other parties are encouraged to provide or continue to provide such support voluntarily (Article 9.2). Under human rights law, all states in a position to do so must provide international cooperation and assistance for the realization of economic, social and cultural rights. Amnesty International chooses not to use the terms "developed" and "developing" as this obscures the pivotal role played by colonialism and neo-colonialism in entrenching inequalities between countries, and advances an overly simplistic, dichotomous view of the world that does not contribute to an understanding of, and progress towards, climate justice.

<sup>24</sup> Collectively, G20 members (excluding the African Union) are responsible for 77 % of global GHG emissions. See United Nations Environment Programme, *Executive Summary of Emissions Gap Report 2024*, October 2024, <https://wedocs.unep.org/handle/20.500.11822/46404>, p. XIII

- reducing emissions, adapting to climate change, addressing loss and damage, and in implementing just and equitable transitions away from fossil fuels;
- Indicators on means of implementation (finance, technology transfer and capacity building) are included in the UAE-Belem Work Programme on adaptation indicators;
  - A concrete UNFCCC Accountability Framework for state and non-state actors that includes a robust conflict of interest policy for the UNFCCC to prevent undue influence from fossil fuel and associated industries that undermine the objectives of the UNFCCC and the Paris Agreement and harm the enjoyment of human rights.
- Agree modalities for the second GST that place human rights at its heart, so that it promotes equity and inclusion and ensures climate, racial and gender justice.
    - Take a whole of society approach to ensure the voices of those most affected by climate change are listened to and learned from.
      - Ensure meaningful and effective participation at all stages, drawing on diverse expertise;
      - Include regional 'GST People's Assemblies' co-organized with civil society and Indigenous Peoples;
      - Consider the situation of EHRDs and ensure protection for EHRDs and their work, which is essential for achieving climate justice, is an integral part of the GST2 outcome and implementation.
    - Link the technical and political phases so that the GST2 outcome reflects both the best available science and human rights.
      - Consider ways to harmonize the calendars of the IPCC and the GST.
      - Ensure the findings of the Standing Committee on Finance's Biennial NCQG Progress Review are incorporated into the GST2 process.
    - Consider loss and damage separately to adaptation.
    - Ensure it is coherent and iterative across all stages of its process.
    - Avoid reliance on risky and unproven technologies and prevent undue influence from the fossil fuel and associated industries that together will undermine the rapid and equitable fossil fuel phase out required.
    - Include a robust follow up process.
  - Agree effective outcomes for the Just Transition Work Programme and other COP30 decisions, that should include:
    - A Belém Action Mechanism for Just Transition (BAM) to accelerate progress towards a holistic, inclusive and human rights compliant transition across all elements of the informal and formal sectors including fossil fuel phase out, the renewable energy sector (including the extraction, processing, and end-of life processes of transition minerals), agriculture and food systems and the role of care.
    - Principles and safeguards for transformational just transitions that, through international cooperation and assistance, mainstream respect, protection, promotion and fulfilment of human rights including decent work, social security, food, health, water, sanitation, adequate housing, education, a clean, healthy and sustainable environment and provide access to renewable energy for all.

- Incorporation of just transition policies, plans, programmes and practices into climate finance frameworks, as they are an essential element of mitigation and adaptation and responding to loss and damage.
- Conclude the review of the WIM at COP30:
  - Put human rights at the heart of all loss and damage arrangements under the UNFCCC and Paris Agreement, including by mandating the WIM to coordinate and improve complementarity with UN human rights mechanisms to develop human rights compliant guidance for averting, minimising and addressing loss and damage
    - Ensure the review addresses the recent ICJAO's implications for loss and damage across all UNFCCC mechanisms
  - Mandate an annual "State of Loss and Damage Report" to complement the emissions and adaptation gap reports. The report should:
    - document economic and non-economic loss and damage and related human rights impacts;
    - estimate financial and technical assistance needs of lower income countries and give clear guidance on the scale of resources that need to be mobilised;
    - report on the status of Loss and Damage resources and related gaps;
    - provide recommendations to all relevant loss and damage instruments.
- Ensure the SNLD delivers technical assistance that integrates and operationalises human rights, including by ensuring meaningful participation in all aspects of its work.
- Adopt and implement a new, robust Gender Action Plan, including through integration and implementation of human rights principles and standards, that contributes to climate and gender justice.
- Fully consult and include relevant experts in human rights, Indigenous People's representatives and human rights defenders in all parties' delegations to UNFCCC meetings.

## CLIMATE FINANCE

Adequate climate finance is crucial to help lower income countries carry out rapid and human rights consistent transitions to zero carbon economies (mitigation) and to adapt to the effects of climate change to protect their populations from human rights harms resulting from climate change. Providing adequate climate finance - currently defined as finance for mitigation and adaptation - and other means of implementation to lower income states is not only an obligation for some states under both the UNFCCC and the Paris Agreement<sup>25</sup> but also for all states in a position to do so under the principle of international cooperation and assistance under international human rights law.<sup>26</sup>

Loss and damage finance is another key aspect of finance in relation to climate change, though not included in the definition of climate finance under the Paris Agreement. Under international human rights law, communities and individuals suffering loss and damage have the right to remedy, which incorporates restitution, compensation,

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<sup>25</sup> UNFCCC (Article 4.3 and 4.4) and the Paris Agreement (Article 9.1), All states that are in a position to do so are encouraged to provide finance under Article 9.2 of the Paris Agreement.

<sup>26</sup> Article 2(1) of the International Covenant on Economic, Social and Cultural Rights (ICESCR) states: "Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and cooperation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures".

rehabilitation, satisfaction, and guarantees of non-repetition.<sup>27</sup> Based on the duty of international cooperation and on the duty to provide remedy for human rights violations caused by the failure to prevent foreseeable human rights harm, countries the most responsible for climate change have the obligation to contribute finance to provide remedy for loss and damage. These countries must increase contributions to the FRLD well before COP30, reflecting their greater historical responsibility for emissions and for loss and damage. Other high-emitting countries able to contribute, particularly high income G20 and high income fossil fuel producing states, should also do so in line with their obligations to provide international cooperation and assistance and in line with the polluter pays principle.

## INTERNATIONAL COURT OF JUSTICE ADVISORY OPINION'S FINDINGS ON FINANCIAL OBLIGATIONS AND REPARATIONS

The recent ICJ AO emphasized that climate harm is a reality and creates obligations, including under the UNFCCC and the Paris Agreement, on the states with the greatest responsibility and capacity to provide climate finance to help lower income countries undertake mitigation and adaptation activities.<sup>28</sup>

The court noted that, while the Paris Agreement does not specify the amount or level of financial support that must be provided, this obligation must be interpreted in light of other provisions in the Agreement, including the collective temperature goal of 1.5°C above pre-industrial levels. Accordingly, high income historically high emitting countries are obligated to provide financial resources in a manner and at a level that allows for the achievement of the Agreement's objectives. The court concluded that this level can be "evaluated on the basis of several factors, including the capacity of developed States and the needs of developing States". (ICJ AO, para 265)

The ICJ also clearly affirmed that human rights law is critical to interpreting and addressing loss and damage. The climate crisis is not only harming a wide range of fundamental human rights, but loss and damage responses also require the application of human rights principles and standards. Additionally, the ICJ's holistic lens endorsed the calls of frontline communities and countries for implementation of their right to full reparation, as it confirmed the basic principle of international law that those who breach their legal obligations, including under the climate treaties, have a duty to repair the harm they cause.<sup>29</sup>

## QUANTITY OF FINANCE

High income historically high emitting countries repeatedly failed to meet their existing obligations to provide climate finance, including to deliver USD 100 billion for climate finance annually from 2020 till 2025 to lower income countries - an amount which, in any case, falls far below what is actually needed.<sup>30</sup> These needs will increase with each increment of global warming.

The NCQG target of USD 300 billion by 2035 agreed at COP29, despite the objections of some countries, was derisory and less than quarter of what some lower income states and activists had been demanding. Accounting for inflation, it is barely higher than the previous USD100 billion target and is not even a real commitment to provide public finance.

<sup>27</sup> Amnesty International and the Center for International Environmental Law (CIEL), *Climate-related human rights harm and the right to effective remedy: Joint submission for the UN Secretary General's analytical study on "the impact of loss and damage from the adverse effects of climate change on the full enjoyment of human rights, exploring equity-based approaches and solutions to addressing the same"*, 13 February 2024, Index: IOR 40/7717/2024, <https://www.amnesty.org/en/documents/ior40/7717/2024/en/>

<sup>28</sup> International Court of Justice, *Advisory Opinion: Obligations of States in respect of Climate Change*, previously cited

<sup>29</sup> Climate Home News, "The ICJ climate ruling has major implications for the loss and damage fund", 3 October 2025, <https://www.climatechangenews.com/2025/10/03/the-icj-climate-ruling-has-major-implications-for-the-loss-and-damage-fund/>

<sup>30</sup> The UNFCCC Second Determination of Needs report has indicated that USD 5.012-6.852 trillion will be required cumulatively until 2030 for lower income countries to address climate change in accordance with the Convention and the Paris Agreement. UNFCCC, *Second report on the determination of the needs of developing country Parties related to implementing the Convention and the Paris Agreement*, UN Doc. SCF/2024/35/4, Annex I (unedited), 10 September 2024

Climate Action Network (CAN) International, a global climate network, which Amnesty International is part of, continues to call for a public finance provision quantum of a minimum of \$1 trillion per year in grants and grant-equivalent terms from high income historical emitting countries to lower income countries, with sub-goals for mitigation, adaptation, and loss and damage as part of inclusive just transition pathways.<sup>31</sup> CAN International also places this call in the context of a larger accumulating climate debt, highlighted by rights-based constituencies in the UNFCCC, of at least USD 5 trillion per year<sup>32</sup> which is owed by higher income historical high emitting countries to lower income countries as a result of historic legacies and ongoing practices of unfair atmospheric carbon budget appropriation as well as failures to pay promised climate finance, among other issues.<sup>33</sup> Building on these calls, in January 2025, the UN Independent Expert on the effects of foreign debt called for a mobilization of USD 5 trillion per year through grants, debt cancellation and technology transfers to mitigate climate change and support adaptation efforts.<sup>34</sup>

### ADAPTATION FINANCE GAP

Adapting to climate change comes at a high price. Amnesty International has documented the impacts of climate change around the world, for example in Austria, Fiji, Honduras, the Russian Federation, Senegal, and Switzerland<sup>35</sup> as well as in Bangladesh,<sup>36</sup> Madagascar,<sup>37</sup> Mexico,<sup>38</sup> Pakistan,<sup>39</sup> the Sámi Indigenous People's territories in Finland, Norway and Sweden,<sup>40</sup> and in Tuvalu.<sup>41</sup>

Climate resilience in lower income countries relies on strengthening basic essential services and public goods such as water, healthcare, social protection, basic infrastructure and disaster preparedness. Such strengthening contributes to the progressive realization of economic, social and cultural rights, and as such must be affordable, of adequate quality, and accessible to all without discrimination. Yet such services generally do not attract private finance as they do not generate profit. For example, UNEP has reported that only about one third of the costed adaptation needs are in areas that traditionally have attracted private investment.<sup>42</sup> This highlights the urgent need for public grants based or highly

<sup>31</sup> Climate Action Network, *Submission to the UNFCCC on NCQG*, August 2024, <https://climatenetwork.org/resource/climate-action-network-submission-ncqg/>

<sup>32</sup> For example, research suggests that high income historically high emitters could be incurring over USD 100 trillion in climate debt to lower income countries by 2050. Fanning, Andrew L. and Hickel, Jason, *Compensation for atmospheric appropriation*, *Nature Sustainability*, 6 (9). 12 July 2023, pp 1077 – 1086, available at: <http://eprints.lse.ac.uk/id/eprint/119717>

<sup>33</sup> See, for example, UNFCCC Women and Gender Constituency, "Feminists demand wealthy countries #PayUp their climate debt!", 26 July 2024, <https://womensgenderclimate.org/its-time-for-wealthy-countries-to-payup/>

<sup>34</sup> UN General Assembly, *Understanding the landscape of climate finance, debt, tax and illicit financial flows and human rights: Report of the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights*, Attiya Waris, UN Doc. A/HRC/58/51, 13 January 2025, <https://docs.un.org/en/A/HRC/58/51>

<sup>35</sup> Amnesty International, *Any tidal wave could drown us – Stories from the climate crisis*, 3 November 2022, Index: IOR 40/6145/2022, <https://www.amnesty.org/en/documents/ior40/6145/2022/en/>

<sup>36</sup> Amnesty International, *Bangladesh: Left behind in the storm: Dalit women sanitation workers and the fight for water and dignity*, 16 October 2025, Index: ASA 13/0372/2025, <https://www.amnesty.org/en/documents/asa13/0372/2025/en/>

<sup>37</sup> Amnesty International, *'That suffering haunts me even here': The struggle for human rights of the Antandroy people displaced by climate change from southern Madagascar*, 30 July 2025, Index: AFR 35/0075/2025, <https://www.amnesty.org/en/documents/afr35/0075/2025/en/>

<sup>38</sup> Amnesty International, *Mexico: Climate displaced community needs urgent relocation*, 8 November 2023, Index: AMR 41/7387/2023, <https://www.amnesty.org/en/documents/amr41/7387/2023/en/>

<sup>39</sup> Amnesty International, *Uncounted: Invisible deaths of older people and children during climate disasters in Pakistan*, 6 May 2025, Index: ASA 33/9007/2025, <http://www.amnesty.org/en/documents/asa33/9007/2025/en/>

<sup>40</sup> Amnesty and the Sámi Council report: *Just transition or "green colonialism"? How mineral extraction and new energy projects without free, prior and informed consent are threatening Indigenous Sámi livelihoods and culture in Sweden, Norway and Finland*, 29 January 2025, Index: EUR 20/8913/2025, <https://www.amnesty.fi/amnestyn-ja-saamelaisneuvoston-raportti-oikeudenmukainen-siirtyma-vai-vihreaa-kolonialismia/>

<sup>41</sup> Amnesty International, *Pacific: 'Navigating injustice': Climate displacement from the Pacific Islands of Tuvalu and Kiribati to Aotearoa New Zealand*, 8 October 2025, Index: ASA 05/0343/2025, <https://www.amnesty.org/en/documents/asa05/0343/2025/en/>

<sup>42</sup> UNEP, *Adaptation Gap Report 2024*, pXVI, previously cited

concessional finance for adaptation measures. Lower income countries should not be forced into greater debt distress in order to protect their populations from the harmful climate impacts for which they are not responsible.

Lower income countries estimate their adaptation finance needs to amount to USD 387 billion per year up to 2030.<sup>43</sup> At the 2025 June Climate Conference, the Chair of the Least Developed Countries Group called for a tripling of annual adaptation finance by 2030, a new target to replace the previous doubling target that expires this year,<sup>44</sup> although this would not meet the requirement under the Paris Agreement to “achieve a balance between adaptation and mitigation” in respect to the provision of financial resources,<sup>45</sup> In 2022, adaptation finance amounted to US\$27.5 billion, demonstrating a very large adaptation finance gap, which parties must take urgent steps to reduce.

**Ahead of COP30 in November 2025, Amnesty International calls on all states in a position to do so, particularly high-income historically high emitting countries, and other high income G20 members and high-income fossil fuel producing states to:**

- Rapidly provide adequate, new, additional and predictable finance – primarily in the form of grant equivalent public finance – to support lower-income countries in reducing emissions, adapting to climate change, ensuring just transitions away from fossil fuels in all sectors, and addressing loss and damage while aiming to ensure a balance between funding for mitigation and adaptation.
- Adopt a clear plan indicating how parties will deliver on paragraph 16 of the NCQG decision, which calls for the tripling of outflows of the UNFCCC climate funds by 2035 (compared to 2022).
- Present a clear plan on how to rapidly scale up adaptation finance, including shortfalls from previous years, to achieve a balance with mitigation finance, taking into account the needs of lower income countries, some of which have called for a tripling by 2030, and that the previous goal set at COP26 to at least double it from 2019 levels by 2025,<sup>46</sup> was far below the amounts needed to enable lower income countries in need of assistance to adequately support people to adapt to climate change.
  - Individual states that have already made pledges to increase finance should back up the plan with concrete adaptation finance commitments, aiming to go well beyond the 2025 goal of doubling pledges.
- Individual states that have made or make additional financial pledges for all forms of climate action, including loss and damage, should fulfil these as speedily as possible, in line with paragraph 82 of the COP28 Global Stocktake outcome.<sup>47</sup>

#### GETTING IT RIGHT FROM THE START: THE FUND FOR RESPONDING TO LOSS AND DAMAGE

Although some important decisions and steps towards operationalization of the FRLD were taken at COP29, concerns remain over the lack of human rights references in the governing instrument<sup>48</sup> of the Fund. It is imperative that the operations of the FRLD are rooted in human rights principles.<sup>49</sup> The Board of the FRLD must continue to adequately scrutinize the WB’s operations while it acts as interim host, to ensure that it fully meets all 11 conditions set at COP28 to

<sup>43</sup> UNEP, Adaptation Gap Report 2023, Chapter 4, p. 30, <https://www.unep.org/resources/adaptation-gap-report-2023>

<sup>44</sup> LDC-Climate Change, “LDCs Demand Accelerated Climate Action at Bonn Climate Talks”, 13 June 2025, [https://www.ldc-climate.org/press\\_release/ldcs-demand-accelerated-climate-action-at-bonn-climate-talks/](https://www.ldc-climate.org/press_release/ldcs-demand-accelerated-climate-action-at-bonn-climate-talks/)

<sup>45</sup> Paris Agreement, Article 9.4

<sup>46</sup> UN Doc. FCCC/PA/CMA/2021/10/Add.1, para 18, (previously cited).

<sup>47</sup> UNFCCC, Outcome of the first global stocktake, previously cited.

<sup>48</sup> UNFCCC, Decision 1/CP.28, Operationalization of the new funding arrangements, including a fund, for responding to loss and damage referred to in paragraphs 2–3 of decisions 2/CP.27 and 2/CMA.4: Annex 1 Governing Instrument of the Fund, UN Doc. FCCC/CP/2023/11/Add.1, [https://unfccc.int/sites/default/files/resource/cp2023\\_11a01\\_adv\\_0.pdf](https://unfccc.int/sites/default/files/resource/cp2023_11a01_adv_0.pdf)

<sup>49</sup> Amnesty International and Centre for International Environmental Law, *Human Rights as a Compass for Operationalising the Loss and Damage Fund*, February 2023, <https://www.amnesty.org/en/documents/ior40/5773/2022/en/>

ensure the independence of the Fund and its Board for all funding decisions and operational policies.<sup>50</sup> Parties should provide guidance to the Board in this regard, including requiring the WB to implement the recommendations of the Special Rapporteur on the right to development in the operations of the Fund in his recent report.<sup>51</sup> The guidance should also require the Board to ensure that the recent ICJ Advisory Opinion is fully taken into account in the FRLD's modalities and operations, in line with the recommendations of the UN Special Rapporteur on Climate Change in her statement ahead of the seventh board meeting.<sup>52</sup> This would ensure the FRLD is adequate, equitable, has inclusive coverage, and is accessible, non-discriminatory, gender transformative, participatory, transparent and provides access to remedy.

There is an urgent need to finalise the resource mobilization strategy<sup>53</sup> of the FRLD, originally mandated for completion by the end of 2025 but now postponed to the ninth board meeting in 2026, highlighting the huge divergence between the needs of lower income countries and the willingness of high income, high emitting countries to provide public finance, especially those with the greatest responsibility for historical emissions. Total pledges as of late September 2025 had reached only USD 790.24 million,<sup>54</sup> barely more than previously reported.<sup>55</sup> The start up phase of the fund has only USD 250 million available, to be allocated to projects in amounts of USD 5 – 20 million.<sup>56</sup> This is clearly a massive shortfall in what is needed,<sup>57</sup> and without further replenishment, means the fund could run dry in 2026 or 2027. Lower income countries have indicated that the FRLD should disburse around USD 1 billion per year while their estimated needs up to 2030 are at least USD 400 billion – which are set to quadruple by 2050.<sup>58</sup> Contributions must also be new, gender responsive, based on the polluter pays principle, and additional to other development funding, in order not to compromise resources needed by lower income countries for the realization of human rights and be disbursed in the form of grants as a form of remedy. Countries, communities and individuals should not have to take on debt in order to remedy climate related human rights harms.

Civil society organizations, including Amnesty International, had called for the envisioned startup phase of the FRLD - known as the Barbados Implementation Modalities (BIM) - to follow their blueprint to ensure that early interventions do not come at the expense of human rights.<sup>59</sup> In this regard, it is regrettable that the BIM was operationalised without the requirement for small grants or direct access modalities for local communities. Additionally, a draft Active Observers Policy<sup>60</sup> and a draft proposal for guidelines on consultative forums are now set to be agreed by the ninth board meeting in 2026.<sup>61</sup> These must ensure active and meaningful observer participation and engagement in the FRLD by Indigenous

<sup>50</sup> UNFCCC, Decision 1/CP.28 and 5/CMA.5, previously cited

<sup>51</sup> UNGA, *Report of the Special Rapporteur on the right to development, Surya Deva Climate justice: loss and damage*, previously cited, paras. 72-80

<sup>52</sup> OHCHR, *Statement by UN Special Rapporteur on human rights and climate change in anticipation of the 7th Meeting of the Board of the Fund for Responding to Loss and Damage*, 6 October 2025, <https://www.ohchr.org/sites/default/files/documents/issues/climatechange/statements/2025-10-06-stm-sr-climate-change-board-ldf.pdf>

<sup>53</sup> Fund for Responding to Loss and Damage, *Decisions of the Board – second meeting of the Board, 9–12 July 2024, Annex VII: Workplan of the Board for 2024–2025, Table 2: Resources*, UN Doc. FLD/B.2/17, previously cited

<sup>54</sup> FRLD, *Report by the interim Trustee on the status of FRLD Trust Fund resources*, 29 September 2025, UN Doc. FRLD/B.7/4, [https://www.frlld.org/sites/default/files/FRLD\\_B.7\\_4\\_Report%20by%20the%20interim%20Trustee%20on%20the%20status%20of%20FRLD%20Trust%20Fund%20resources\\_0.pdf](https://www.frlld.org/sites/default/files/FRLD_B.7_4_Report%20by%20the%20interim%20Trustee%20on%20the%20status%20of%20FRLD%20Trust%20Fund%20resources_0.pdf)

<sup>55</sup> FRLD, *Status of resources*, UN Doc. FRLD/B.5/6, 7 April 2025, [https://unfccc.int/sites/default/files/resource/FRLD\\_B.5\\_6\\_Status\\_of\\_resources\\_report\\_of\\_the\\_Trustee.pdf](https://unfccc.int/sites/default/files/resource/FRLD_B.5_6_Status_of_resources_report_of_the_Trustee.pdf)

<sup>56</sup> Third World Network, "Loss and Damage Fund Board establishes modalities for start-up phase of USD 250 million", 25 April 2025, <https://www.twn.my/title2/climate/info.service/2025/cc250402.htm>

<sup>57</sup> Amnesty International, "Initial pledges at COP28 to finance the Loss & Damage Fund fall far short of what is needed", 30 November 2023, <https://www.amnesty.org/en/latest/news/2023/11/global-initial-pledges-at-cop28-to-finance-the-loss-damage-fund-fall-far-short-of-what-is-needed/>

<sup>58</sup> Climate Analytics, *Impacts of low-aggregate INDC ambition*, 2015, <https://oxfamlibrary.openrepository.com/bitstream/handle/10546/582427/rr-impacts-low-aggregate-indcs-ambition-251115-en.pdf;jsessionid=C2BF26E9CF0705630671F3821B7C7AE9?sequence=1>

<sup>59</sup> Joint submission on the startup phase of the Fund for Responding to Loss and Damage, *Getting it right from the start*, 4 April 2025, Index: IOR 40/9233/2025, <https://www.amnesty.org/en/documents/ior40/9233/2025/en/>

<sup>60</sup> Joint statement, *People not profit in the Loss and Damage Fund*, 11 March 2025, Index: IOR 40/9235/2025, available at: <https://www.amnesty.org/en/documents/ior40/9235/2025/en/>

<sup>61</sup> FRLD, *Workplan of the Board for 2026*, 7 October 2025, UN Doc. FRLD/B.7/6, p.8, [https://www.frlld.org/sites/default/files/FRLD\\_B.7\\_Workplan%20of%20the%20Board%20for%202026\\_0.pdf](https://www.frlld.org/sites/default/files/FRLD_B.7_Workplan%20of%20the%20Board%20for%202026_0.pdf)

Peoples, women, older persons, youth, racialized communities, persons with disabilities and other marginalized groups.<sup>62</sup> Undue corporate influence on the fund must be prevented through the adoption of the expected policy on ethics and conflict of interest<sup>63</sup> and rejection of the proposed Active Observer seat on the board for a private sector representative (which is not envisaged in the FRLD's governing instrument).<sup>64</sup>

## RECOMMENDATIONS

### **Amnesty International calls on the Board of the Fund for responding to Loss and Damage to:**

- Urgently finalize the human rights compliant operationalization of the FRLD:
  - Ensure environmental and social safeguards for the fund's activities used by the World Bank are fully human rights compliant and adapted to the needs of the FRLD.
  - Ensure that monitoring mechanisms include human rights indicators and benchmarks that are coherent with human rights monitoring mechanisms in other intergovernmental spaces.
  - Put in place a robust grievance mechanism that meets the obligation to provide effective remedies to victims of human rights violations and abuses, based on non-discrimination, substantive equality, and gender-responsiveness.
  - Ensure frontline community voices and civil society are represented in all stages of activities of the FRLD, including by adopting an Active Observer policy that establishes Active Observer seats for Indigenous Peoples, women and gender, youth and children, and environmental organisations, in line with paragraph 20 of the Governing Instrument for the Fund adopted at COP 28, and for affected communities, displaced persons, migrants and refugees, and persons with disabilities.
  - Reject the proposed Active Observer seat for the private sector and put in place a comprehensive and robust Conflict of Interest Policy for any private sector engagement.
  - Adopt a robust ethics and conflict of interest policy that fully complies with international human rights standards and prevents undue corporate influence on the FRLD.
- Develop and implement an ambitious, transparent, cyclical and sustainable fund-raising strategy for the FRLD as soon as possible, and by mid-2026 at the latest.
- Continue to closely scrutinize the World Bank's hosting of the FRLD to ensure that it fully meets the conditions laid out in the COP28 decision,<sup>65</sup> especially in regard to eligibility criteria, direct access for affected communities (including women, children and youth, older persons, people living with disabilities, racialized groups, refugees and migrants, and Indigenous Peoples), and a reasonable and appropriate cost recovery methodology that does not result in excessively high administration costs that reduces funds available for disbursement.

### **Ahead of COP30 in November 2025, Amnesty International calls on all UNFCCC parties to:**

- Provide ongoing guidance to the Board of the FRLD to ensure that the operations of the FRLD are fully human rights compliant and meet the 11 agreed conditions, and meet the obligation to provide effective remedies to victims of human rights violations, based on non-discrimination, substantive equality, inclusion,

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<sup>62</sup> For a detailed proposal on elements for a participation framework for the FRLD, see the Loss and Damage Collaboration, *Loss and damage fund: A participation blueprint*, 25 April 2024, <https://www.lossanddamagecollaboration.org/publication/loss-and-damage-fund-a-participation-blueprint-1>

<sup>63</sup> FRLD, *Workplan of the Board for 2026*, previously cited

<sup>64</sup> Joint Open Letter, *People not profit in the Loss and Damage Fund*, previously cited

<sup>65</sup> Decision 1/CP.28 and 5/CMA.5, previously cited, para 20

participation, intersectionality and gender-responsiveness;<sup>66</sup>

**Ahead of COP30 in November 2025, Amnesty International calls on all states in a position to do so, particularly high income historical emitting countries, and other high emitting G20 members and high-income fossil fuel producing states to:**

- Commit adequate, new, additional and predictable funding to address loss and damage in lower income countries, primarily through capitalization of the Fund for responding to Loss and Damage, but also by providing finance to the WIM and the SNLD.
- Urgently deliver existing funding pledges for loss and damage.

## QUALITY OF CLIMATE FINANCE: TRANSFORMATION OF DEVELOPMENT FINANCE, DEBT, TAXATION, AND PUBLIC AND PRIVATE INVESTMENT FOR CLIMATE ACTION

Human rights standards are also relevant to the quality of climate financing. All climate finance should be new, adequate, predictable and additional<sup>67</sup> to other forms of development finance to avoid the risk of cannibalizing funding essential for the realization of other human rights, including the right to sustainable development.

The climate justice movement, of which Amnesty International is part, is calling for broad transformation of global systems of development finance, debt, taxation, and public and private investment for climate action in order to address the current inequalities these systems create. This transformation is required to make finance more available and affordable for lower income countries to undertake climate action. Ensuring such transformation takes place rapidly is necessary to meet states' international obligations to provide international cooperation and assistance to ensure climate justice through the progressive realization of economic, social and cultural rights (ESCR).<sup>68</sup>

In this context it should be noted that governments need to put in place legislation requiring private corporations to act in compliance with their human rights responsibilities in line with the UN Guiding Principles of Business and Human Rights. Furthermore, to ensure that businesses respect the right to a healthy environment, states should enact mandatory human rights due diligence legislation and mandatory environmental due diligence legislation; end subsidies to climate-damaging, polluting and environmentally destructive businesses, especially fossil fuel producers, and impose taxes such as a progressive carbon damages tax,<sup>69</sup> windfall taxes on the profits of fossil fuel businesses,<sup>70</sup> and progressive carbon levies on aviation (frequent flyer levies and a tax of private jet use) and shipping (a fossil fuel levy at point of bunker)<sup>71</sup>, while taking measures to protect low-income individuals and groups from regressive impacts.

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<sup>66</sup> For more detailed recommendations, see Amnesty International and Centre for International Environmental Law, *Human Rights as a Compass for Operationalising the Loss and Damage Fund*, February 2023, <https://www.amnesty.org/en/documents/ior40/6463/2023/en/>

<sup>67</sup> UNFCCC, Article 4.3

<sup>68</sup> See for example, Amnesty International, *Recommendations to states to finance economic, social and climate justice*, 5 June 2023, Index: IOR 10/6825/2023, <https://www.amnesty.org/en/documents/ior10/6825/2023/en/>

<sup>69</sup> Stamp Out Poverty, *The Climate Damages Tax: a guide to what it is and how it works (2024)*, <https://www.stampoutpoverty.org/the-climate-damages-tax-a-guide-to-what-it-is-and-how-it-works-2024/>

<sup>70</sup> Tax Foundation Europe, "Windfall Profit Taxes in Europe, 2023", 20 June 2023, <https://taxfoundation.org/data/all/eu/windfall-tax-europe-2023/>

<sup>71</sup> A weak proposal agreed at an IMO meeting in April 2024 that would rely on emissions credit trading mechanisms (see Climate Home News, "Governments agree green shipping targets and fees for missing them", 11 April 2025, <https://www.climatechangenews.com/2025/04/11/governments-agree-green-shipping-targets-and-fees-for-missing-them/>) was postponed at a further meeting in October 2025, under pressure from the USA and other states (see The Guardian, "Shipping emissions levy shelved as countries bow to US pressure", <https://www.theguardian.com/environment/2025/oct/17/shipping-emissions-levy-shelved-as-countries-bow-to-us-pressure>).

Amnesty International considers that a fuel levy on shipping at point of bunker, with revenues distributed to the lowest income states through multilateral mechanisms that support climate mitigation and adaptation and respond to loss and damage is both urgent and necessary. Monies raised should be directed towards climate action in lower income countries, prioritizing the most impacted, through existing multilateral funds.

Amnesty International has produced a comprehensive briefing on how this broad transformation of the global financial architecture can help fund the climate finance gap. For further information, see *Plenty to go around: Mobilizing finance for climate justice*.<sup>72</sup>

## THE BAKU TO BELEM ROAD MAP TO 1.3 TRILLION

The B2B road map process, launched in the NCQG decision at COP29, calls for collaborative action to scale up climate finance to lower income countries “from all sources” to at least USD 1.3 trillion by 2035.<sup>73</sup> A joint COP29 and COP30 presidency initiative without a clear follow up process, it is nevertheless an opportunity to address the severe shortfall of the agreed USD 300 billion NCQG target by putting in place a clear plan, with human rights at its core, to realise scaled-up and high-quality climate finance, primarily in the form of grants or highly concessional loans from all states that are in a position to provide it, including high income historically high emitting states, other high income G20 countries and high income fossil fuel producing states. The plan should clarify how the tripling of outflows from all UNFCCC climate funds by 2035 will be achieved.<sup>74</sup>

The USD 1.3 trillion target should prioritize public grants-based finance over and above the USD 300 billion NCQG target and ensure that the element of public finance is not limited and solely used to leverage and derisk private finance. It is also essential that the B2B road map also includes a clear definition of climate finance, excluding debt-creating and non-human rights compliant measures such as carbon offsets, carbon credits, loans at commercial rates and debt relief, which though necessary, should not be considered as a form of climate finance to contribute to the NCQG target. New forms of progressive taxation on polluters, including the redirection of fossil fuel subsidies, such as those described above, should be included.

The B2B road map is also an opportunity to address existing barriers to access, such as the lack of entities to provide direct access; requirements for co-financing, private sector leverage, and use of complicated financial instruments; and a lack of local currency financing. It should also focus on ways to improve access to climate finance for directly impacted communities and groups, which struggle to do so, due to minimum scale requirements and restrictive accreditation procedures of most funds, while local, grassroots and community-based NGOs are often excluded from working with existing accredited entities as implementing partners. The B2B road map should prioritize finance for locally-led climate actions, including targeted allocations with appropriate reporting and accounting.

Care should be taken to ensure that the references in the NCQG decision to “enabling environments” in lower income countries are not used as an excuse to avoid delivering the climate finance needed but rather should focus on removing external conditions that hamper lower income countries’ ability to undertake climate action. For example, global tax reform to address illicit financial flows through a global tax convention will help to increase fiscal space for lower income countries. It is also important that the B2B road map aligns with other processes addressing finance including the tax convention negotiations.

While inputs from observers were sought in the B2B roadmap, there was a lack of transparency as to how this input was considered and included in the final roadmap, which had not been published at the time of writing.

## RECOMMENDATIONS

### Ahead of COP30 in November 2025, Amnesty International calls on all parties to the UNFCCC to:

- Ensure all climate finance is new, adequate, predictable and additional to other forms of development finance.

<sup>72</sup> Amnesty International, *Plenty to go around: Mobilizing finance for climate justice*, Index: POL 30/8850/2025, 16 January 2025, <https://www.amnesty.org/en/documents/pol30/8850/2025/en/>

<sup>73</sup> UNFCCC, COP29 NCQG Decision, previously cited

<sup>74</sup> UNFCCC, COP29 NCQG Decision, para. 16, previously cited

- Clarify how the USD 300 billion target of the NCQG will be met through public grants-based finance and define the public finance component of the USD 1.3 trillion target under the B2B road map.
  - Ensure that public finance is not solely used to leverage and derisk private finance.
- Agree to a negotiating space, which could be a new standing agenda item, to address the public finance elements within the NCQG implementation, in order to uphold and accelerate the full implementation of high income, historically high emitting countries' public provision obligations under Article 9.1 of the Paris Agreement).
- Support timely debt relief for all countries in and at risk of debt distress, including consideration of debt restructuring and/or cancellation ensuring that:
  - More countries are eligible for comparable relief, and that more creditors participate in debt restructure and relief efforts.
  - Loan agreements provide for the suspension of payments in times of crises, including unnatural climate related disasters, and other disasters and economic crises.
  - Debt agreements do not undermine governments' ability to meet their economic, social and cultural rights obligations, including in relation to the climate crisis.
  - The terms of bilateral, multilateral and private sovereign lending are transparent and available for, and subject to, public scrutiny.
- Introduce taxation measures that prioritise raising revenue from wealthier individuals and corporate profits generated from fossil fuel production
  - Introduce progressive taxes on transportation such as on private jet use, a frequent flyer levy, and a global shipping levy on fossil fuel use imposed at point of bunker that distributes revenue as climate finance to the lowest income countries, primarily through multilateral mechanisms such as the Green Climate Fund, the Adaptation Fund and the Fund for responding to Loss and Damage.
- Phase out all tax incentives and subsidies for fossil fuel production. In doing so, ensure any changes to taxation and subsidies do not disproportionately impact people with lower incomes by conducting human rights impact assessments and introducing appropriate social protection mechanisms to compensate as necessary.
- Support the development of a UN Tax Convention that would provide a framework to:
  - Comprehensively address the problem of both illicit financial flows (IFFs) and commercial practices such as aggressive tax avoidance with a view to enabling greater domestic resource mobilization particularly in low-income countries to realize human rights - consistent climate action.
  - Create a global tax governance structure that is fair, transparent and has built in accountability mechanisms including an Intergovernmental UN Tax Commission with equal representation from each state party and that would aim to harmonize effective fiscal practices and policies based on human rights law and standards.
- Eliminate financing and harmful tax expenditures (including tax breaks and subsidies) for fossil fuel companies.
- Support the development of a UN Framework Convention on Sovereign Debt.
- Ensure that the Baku to Belém Road Map to 1.3 trillion includes:
  - A clear plan, with milestones and an effective accountability framework, to realise scaled up and high-quality human rights compliant climate finance based on the polluter pays principle, including new forms of progressive taxation on fossil fuel companies, polluting sectors, and wealthier individuals;

- Include clear timelines for scaling up loss and damage grants-based finance to the level of USD hundreds of billions per year so that the FRLD, the WIM and the SNLD are adequately financed.
- A clear definition of climate finance that excludes debt creating and non-human rights compliant measures, including carbon offsets, and incorporates finance for all aspects of just transitions;
- Prioritizes finance for locally-led climate action, including targeted allocations, and addresses barriers to access, including by increasing direct access to finance for impacted communities;
- Alignment with other multilateral processes addressing finance including in relation to developing a UN Framework Convention on Sovereign Debt and a UN Convention on International Development Cooperation.

## MAKING FINANCIAL FLOWS CONSISTENT WITH CLIMATE ACTION – A HUMAN RIGHTS-BASED APPROACH TO ARTICLE 2.1C

The Sharm El Sheikh (SES) dialogue<sup>75</sup> on Article 2.1c of the Paris Agreement which refers to “making finance flows consistent with a pathway towards low greenhouse gas emissions (GHG) and climate-resilient development” is due to conclude at COP30. COP30 should pave the way for a decision at COP31 that includes clear and time bound targets for shifting finance flows away from fossil fuels and other high emitting sectors towards support for a just and equitable transition to a zero carbon economy in all sectors.

The Article 2.1c discussions should be approached in a just, equitable, human rights consistent and gender responsive manner, based on science and should be complementary to the principle of Common but Differentiated Responsibility and Respective Capabilities as defined in Article 9.1 of the Paris Agreement and the obligations for international cooperation and assistance under international human rights law. Article 2.1c should not be interpreted narrowly, as it applies to mitigation, adaptation, and loss and damage. Finance flows under Article 2.1c should not be included in NCQG reporting, as the NCQG target should reflect public, primarily grants based, new and additional climate finance provision based on the polluter pays principle

A just, equitable and human rights compliant approach to Article 2.1c requires a commitment to, and implementation of, a wide and ambitious agenda of scaling up public climate finance from high income historically high emitting countries in line with their obligations under the Paris Agreement, complemented by financial assistance from others in a position to provide it under their obligations to provide international cooperation and assistance – particularly high emitting G20 and high income fossil fuel producing states, and transforming the wider global system of development finance, taxation and debt to make it fairer for lower income countries and to address economic injustices often stemming from racism and colonialism.

Currently, progress towards implementation of Article 2.1c is hindered by an international financial architecture in which structural inequalities continue to perpetuate the legacies of racism and colonialism including in how taxing rights, trade rules, debt relief and economic development itself are decided on and implemented. High levels of greenhouse gas emissions are the product of centuries of extraction, industrialization, and industrial processes, but the responses to the climate crisis are characterized by the same forms of systemic racism which are causing the climate crisis in the first place.<sup>76</sup> However, efforts towards the necessary transformation of the global financial system<sup>77</sup> are hampered as lower

<sup>75</sup> Decision 1/CMA.4, Sharm el-Sheikh Implementation Plan, UN Doc. FCCC/PA/CMA/2022/10/Add.1, para 68,

<sup>76</sup> UN Human Rights Council, *Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, E. Tendayi Achiume - Ecological crisis, climate justice and racial justice*, UN Doc. A/77/549, para 12, <https://www.ohchr.org/en/documents/thematic-reports/a77549-report-special-rapporteur-contemporary-forms-racism-racial>

<sup>77</sup> The UN Human Rights Council has recently reiterated that an equitable international order requires “the transformation of the international financial architecture and a comprehensive solution to the problem of foreign debt and the debt burden” and reaffirmed “the need to continue to work urgently for the establishment of an international economic order based on equity, sovereign equality, interdependence, common interest and cooperation among all States, irrespective of their economic and social systems, in order to correct inequalities and redress existing injustices”. UN

income countries continue to be structurally under-represented in financial assistance (ODA) and climate finance<sup>78</sup> forums and in economic decision-making outside the UN. This maintains uneven global power relations that are often rooted in colonial legacies.

## RECOMMENDATIONS

### Ahead of COP30 in November 2025, Amnesty International calls on all parties to the UNFCCC to:

- Ensure the dialogue process on Article 2.1c is mandated to continue at COP31 and beyond and:
  - facilitates a rapid end of the financing of new projects, activities and industries that drive fossil fuel expansion and deforestation;
  - contributes to the phase out of existing fossil fuel funding investments and subsidies within a clear timeline aligned with the 1.5°C imperative;
  - addresses the need for finance for just transitions that is not currently covered by climate finance;
  - contributes to the ongoing discussions about financial system transformation to relieve the unsustainable debt burden on lower income countries including through a rules-based debt resolution framework at the UN; and moves to redress economic injustices, including those stemming from colonialism and structural racism such as through more representative decision-making;
  - is not used to undermine adequate public climate finance provision in the NCQG.

## A FULL, FAST, FAIR AND FUNDED FOSSIL FUEL PHASE OUT

Fossil fuel extraction, production and use violates a wide range of human rights, including the right to a clean, healthy and sustainable environment and implementing a full, fast, fair and funded fossil fuel phase out is a human rights obligation for all states.<sup>79</sup> Parties should therefore seize the opportunity at COP30 to commit to a full, fast, fair and funded phase out of all fossil fuel extraction, production and use.

### INTERNATIONAL COURT OF JUSTICE ADVISORY OPINION ON FOSSIL FUEL PHASE OUT

The ICJ AO made clear that failure to meet emission reduction commitments (para 221) can potentially be in breach of international law. It also categorically affirmed that “[f]ailure of a State to take appropriate action to protect the climate system from GHG emissions — including through fossil fuel production, fossil fuel consumption, the granting of fossil fuel exploration licences or the provision of fossil fuel subsidies — may constitute an internationally wrongful act which is attributable to that State” and thus opens the way to potential litigation (para 427). This can extend to states’ inadequate regulation of private companies to limit the quantity of emissions they produce (para 428).

The ICJ also clarified that while states have different levels of capabilities, each is required “to take all the means at its disposal to protect the climate system in accordance with its capabilities and available resources” (para. 291). Importantly, the ICJ also stressed that environmental impact assessments of fossil fuel projects must take into account the downstream emissions (para 298) as well as those directly related to fossil fuel production and transport. Downstream

HRC, Resolution 60/6: Promotion of a democratic and equitable international order, UN Doc. A/HRC/RES/60/6, 6 October 2025, <https://docs.un.org/en/A/HRC/RES/60/6>

<sup>78</sup> See for example, The Guardian, “Aid in reverse: how poor countries develop rich countries”, 14 January 2017, <https://www.theguardian.com/global-development-professionals-network/2017/jan/14/aid-in-reverse-how-poor-countries-develop-rich-countries>

<sup>79</sup> Amnesty International, *Fatal fuels: Why human rights protection urgently requires a full and equitable fossil fuel phase out*, 13 November 2023, Index: POL 30/7382/2023, <https://www.amnesty.org/en/documents/pol30/7382/2023/en/>

emissions are often around 85% of total emissions from the extracted fuel<sup>80</sup> and many EIAs currently do not take these downstream emissions into account.

Breaches of these obligations can lead to obligations of cessation and non-repetition, which are consequences that apply irrespective of the existence of harm (and could include for example the cancelling of exploration licences and fossil fuel phase out plans in line with the 1.5°C imperative, as well as the consequences requiring full reparation for harm caused, including restitution, compensation and/or satisfaction (para 445).

Judges Bhandari and Cleveland further clarified in Section III of their Joint Declaration that states must phase out fossil fuel production and regulate their use (including subsidies) in order to keep to the 1.5°C imperative and that new and revised NDCs must address fossil fuel production in order to implement the COP28 GST decision .

## A TIMELINE FOR “TRANSITIONING AWAY”: FOLLOW UP TO THE OUTCOME OF THE FIRST GLOBAL STOCKTAKE

Though weak, lacking a clear timeline for implementation, and containing many loopholes, the GST outcome at COP28<sup>81</sup> was a milestone as it called for the first time for a “[transition] away from fossil fuels in energy systems, in a just, orderly and equitable manner, accelerating action in this critical decade, so as to achieve net zero by 2050 in keeping with the science.” However, another stark failure in the GST outcome is the lack of a clear mechanism to follow up on the decision, particularly in relation to the renewable energy transition,<sup>82</sup> which contributed to a lack of consensus on a GST outcome at COP29 and a failure to operationalize the UAE dialogue on implementing the GST outcomes.<sup>83</sup> No agreement was reached at the 2025 June Climate Conference either, with discussions set to continue at COP30.<sup>84</sup> Even more worrying at both meetings was the deliberate refusal of some parties to include any reference to fossil fuel phase out, including reiteration of the weak commitment to “transition away” from fossil fuels in the energy sector that was agreed at COP28, a behaviour since replicated in other forums.<sup>85</sup>

### RECOMMENDATIONS

#### Ahead of COP30 in November 2025, Amnesty International calls on all parties to the UNFCCC to:

- Implement the ICJAO by committing to a rapid, equitable human rights compliant and funded fossil fuel phase out across all sectors that is in line with the 1.5°C imperative, with high income historically high emitting countries leading the way, along with other high emitting G20 states and high income fossil fuel producing states.
  - Agree a clear timeline for the implementation of the COP28 GST outcome on “transitioning away” from fossil fuels.

<sup>80</sup> See for example, Scope, “Assessing the oil & gas sector’s carbon footprint”, 11 April 2022, [https://www.scopegroup.com/dam/jcr:5066dd6f-613a-4ab9-a032-b32b97b28bb7/Scope%20ESG\\_IR%20il%20and%20Gas%20Industry.pdf](https://www.scopegroup.com/dam/jcr:5066dd6f-613a-4ab9-a032-b32b97b28bb7/Scope%20ESG_IR%20il%20and%20Gas%20Industry.pdf)

<sup>81</sup> UNFCCC, *Decision 1/CP.28 and 5/CMA.5 Outcome of the first global stocktake*, UN Doc. FCCC/PA/CMA/2023/16/Add.1, pp 2-22, [https://unfccc.int/sites/default/files/resource/cma2023\\_16a01\\_adv\\_.pdf](https://unfccc.int/sites/default/files/resource/cma2023_16a01_adv_.pdf)

<sup>82</sup> UNFCCC, *Decision 1/CP.28 and 5/CMA.5*, previously cited, paras 18-42

<sup>83</sup> UNFCCC, *Decision 1/CP.28 and 5/CMA.5 Outcome of the first global stocktake*, UN Doc. FCCC/PA/CMA/2023/16/Add.1, paras 97-98, previously cited

<sup>84</sup> UNFCCC, *Report of the Subsidiary Body for Implementation on its sixty-second session, held in Bonn from 16 to 26 June 2025*, UN Doc. FCCC/SBI/2025/11, 19 August 2025, paras 41-43, [https://unfccc.int/sites/default/files/resource/sbi2025\\_11adv.pdf](https://unfccc.int/sites/default/files/resource/sbi2025_11adv.pdf)

<sup>85</sup> For example, the G20 Leaders Declaration in 2024 contained no reference to this commitment, (available at <https://www.g20.utoronto.ca/2024/241118-declaration.html>) and some states attempted to remove a reference to transitioning away in the draft text of the UN Pact for the Future. See Climate Home News, 30 August 2024, “Fossil fuel transition back in draft pact for UN Summit of the Future after outcry”, <https://www.climatechangenews.com/2024/08/30/fossil-fuel-transition-back-in-draft-pact-for-un-summit-of-the-future-after-outcry/>. Similarly, some states pushed back against any reference to fossil fuels in the 2025 Human Rights Council resolution on climate change. See: Climate Rights International, “United Nations: Human Rights Council Fails to Address Fossil Fuels”, 8 July 2025, <https://cri.org/united-nations-human-rights-council-fails-to-address-fossil-fuels/>

- Join the Beyond Oil and Gas Alliance and Powering Past Coal Alliance and endorse the call to adopt and implement a Fossil Fuel Non-Proliferation Treaty.
- Avoid reliance on so-called “natural gas” as a “transition fuel” or on technologies that are ineffective, unproven, have serious human rights implications and/or which cannot be scaled up within the time frame we have left to limit global heating to 1.5°C.
- Cease all new oil, gas, and coal exploration and development.
- Immediately end all subsidies for fossil fuel extraction and use, while protecting the most vulnerable from regressive effects.
- Stop all financing for fossil fuel expansion in other countries.
- Ensure that the Work Programme to Scale Mitigation Ambition and Implementation and other COP30 decisions deliver actions which effectively close the emission and implementation gap and deliver on the GST1 mitigation outcomes, to keep the increase of global average temperatures below 1.5°C, including by sending a clear message on the importance of raising ambition through 1.5°C-aligned NDCs.
- Avoid allowing carbon offsetting schemes for countries and companies, as this undermines actual emissions reductions.<sup>86</sup>
- Agree concrete measures for the implementation and review of the first GST that mainstreams human rights and gender equity considerations, as well as the rights of Indigenous Peoples throughout, including by:
  - Agreeing fully participatory modalities and framing for the UAE dialogue on implementing the global stocktake outcomes at COP30 so that it can take place by SB64 in June 2026 at the latest to discuss the delivery of all aspects of climate action, supported by climate finance and other means of implementation as a necessary condition.
  - As a minimum, mandate High Level Dialogues on GST1 implementation each year until the next global stocktake.

## CENTERING HUMAN RIGHTS IN NDCS 3.0

Disappointingly, only 13 countries had submitted new NDCs by the 10 February 2025 deadline;<sup>87</sup> by 2 October 2025, the number had risen to 62, covering only 31% of global emissions.<sup>88</sup> There is a huge ambition gap, that will inexorably lead to the 1.5°C threshold being breached if it is not addressed as a matter of urgency.

As the ICJ reaffirmed, under human rights law, states have obligations to protect people and the enjoyment of their human rights from environmental harm caused by conduct or omissions within their territory or jurisdiction, whether committed by state or non-state actors, including businesses. This requires states to prevent or minimize the adverse impacts of climate change on human rights by taking adequate action to reduce GHG emissions. In particular, states must take all feasible steps to the full extent of their abilities, both nationally and through international co-operation, to reduce global GHG emissions within the shortest possible time-frame and in a manner compatible with the imperative of keeping the global average temperature rise as low as possible and no higher than 1.5°C above pre-industrial levels (climate change mitigation). In other words, it is a human rights obligation on states to submit the most ambitious NDC possible.

<sup>86</sup> Joint Statement: *Why carbon offsetting undermines climate targets*, 2 July 2024, <https://www.amnesty.org/en/documents/ior40/8251/2024/en/>

<sup>87</sup> Carbon Brief, “Analysis: 95% of countries miss UN deadline to submit 2035 climate pledges”, 10 February 2025, <https://www.carbonbrief.org/analysis-95-of-countries-miss-un-deadline-to-submit-2035-climate-pledges/>

<sup>88</sup> Climate Watch, NDC Tracker, <https://www.climatewatchdata.org/ndc-tracker>, accessed 18 October 2025

NDCs must also be developed and implemented in fully participatory processes, mainstream gender justice, ensure that all human rights are fully respected and protected at all stages, integrate Indigenous Peoples' rights and traditional knowledge and be fully aligned with the imperatives a just transitions across all sectors.<sup>89</sup>

## RECOMMENDATIONS

### Ahead of COP30 in November 2025, Amnesty International calls on all parties to the UNFCCC to:

- Place human rights at the heart of new and revised NDCs:
  - Make an explicit commitment to respect, protect and promote human rights for current and future generations, including the right to a clean, healthy and sustainable environment, throughout the NDC, both within and outside national borders, in line with the ICJAO.
    - Mainstream gender justice throughout;
    - Ensure human rights and environmental impact assessments of all measures;
    - Include policies to strengthen the effective protection of environmental human rights defenders;
    - Commit to providing universal social protection;
    - Recognise of the important role of traditional knowledge and commit to respecting, protecting, and fulfilling the rights of Indigenous Peoples;
    - Integrate measures to ensure access to remedy and justice for those whose human rights, including Indigenous Peoples' rights, are negatively affected by climate action.
  - Include a clear time line for the national level just and equitable phase out of fossil fuel production and use, with high income historically high emitting countries leading the way by 2035, supported by other high emitting G20 and high income fossil fuel producing states and other states by 2040;
  - Strengthen 2030 and 2035 emission reduction targets:
    - Include extraterritorial emissions, such as emissions generated by transport, emissions resulting from production of imported goods they import and emissions from combustion of fossil fuels after export, as well as emissions resulting from extraterritorial fossil fuel projects that receive financial support from the government;
    - Include adequate sectoral policies, and ensure they are fully aligned with the 1.5°C imperative;
    - Include policies and measures to achieve the global objective of reducing fossil fuel related methane emissions by 75% by 2030;
    - Avoid reliance on carbon offsets, or risky and unproven technologies;
    - Include a plan to equitably phase-out and redirect subsidies for fossil fuels and other industries and practices perpetuating the production and use of fossil fuels.
  - Ensure commitments related to ecosystems and biodiversity, including the GST commitment to halt and reverse deforestation and forest degradation by 2030, do not harm human rights.<sup>90</sup>

<sup>89</sup> OHCHR, Integrating Human Rights in Nationally Determined Contributions (NDCs): A Toolkit for Practitioners, 1 November 2022, <https://www.ohchr.org/en/documents/tools-and-resources/integrating-human-rights-nationally-determined-contributions-ndcs>

<sup>90</sup> For further information on the human rights harms associated with biofuels, see Amnesty International, Stop Burning Our Rights, 7 June 2021, Index: POL 30/3476/2021, <https://www.amnesty.org/en/documents/pol30/3476/2021/en/>

- Include policies and measures that favour community-based forest management in which communities, including Indigenous Peoples, are given security of tenure on the land they have traditionally occupied and are fully recognized as co-managers of the forests and other natural ecosystems;
  - Phase out the production and use of bio-energy from forest biomass and crop-based biofuels, including by ending subsidies, tax exemptions and other incentives for them.
  - Support the use of non-land based biofuels and adopt specific bio-energy projects only if independent environmental and human rights impact assessments show that they do not involve significant land use, do not threaten people's right to food and other human rights at the global or local level, and do not result in increased GHG emissions.
  - Prior to the approval of a bio-energy project, carry out consultations with Indigenous Peoples and local communities, allowing for the meaningful participation of all and especially of the most marginalized groups and individuals, and respecting the right of Indigenous Peoples to free, prior and informed consent.
- Incorporate measures and plans for effectively addressing economic and non-economic loss and damage, including their full cost.
  - Quantify any debt burden that is an obstacle to needed climate action and including measures to address it.
  - Align with the imperatives for a just transition through avoiding human rights harms associated with just transitions away from fossil fuels, providing decent work, life-long education and social security.
  - Ensure accountability for the measures proposed through:
    - Plans to effectively regulate businesses;
    - Incorporating a plan to eliminate or restrict the application of investor-state dispute settlement (ISDS) and other international investment protections in relation to fossil fuel investments and climate change measures that could undermine emission reduction efforts;
    - A clear timeline for legislative and policy adoption and implementation;
    - A system for inclusive and participatory monitoring of the NDC based on the collection of disaggregated data based on gender, age, disability, economic status and identity, among others.

## INCLUSIVE AND EFFECTIVE PARTICIPATION

### PROTECTION OF ENVIRONMENTAL HUMAN RIGHTS DEFENDERS

Environmental human rights defenders play a fundamental role in protecting ecosystems and guaranteeing the rights of their communities. Without their vital work, climate action is less effective and climate justice cannot be achieved. For examples of how EHRDs contribute to achieving climate justice, see Amnesty International's explainer *Civic space and environmental human rights defenders: Essential for achieving climate justice*.<sup>91</sup>

However, EHRDs are increasingly targeted by threats, criminalization, and violence, especially in regions where extractive industries, agribusiness, and large infrastructure projects encroach on Indigenous and traditional territories. Latin America, according to Global Witness and the Inter-American Commission on Human Rights, is the most dangerous region in the world for environmental defenders, with Brazil, Colombia, Mexico, and Honduras standing out. Brazil is

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<sup>91</sup> Available at: <https://www.amnesty.org/en/documents/pol32/0173/2025/en/>

among the countries with the highest number of killings of environmental defenders, highlighting the severity of the national and regional context.

States must adopt robust legal frameworks, effective protection measures, and ensure access to justice and reparation for defenders and their families. It is essential to create enabling environments for the safe and meaningful participation of these actors in climate decision-making processes, respecting the rights to freedom of expression, association, and peaceful assembly. Public recognition of the essential role of defenders and the creation of concrete mechanisms for prevention, protection, and response to reprisals are urgent measures to strengthen environmental democracy and climate justice.

#### **Ahead of COP30 in November 2025, Amnesty International calls on all UNFCCC parties to:**

- Publicly recognize the important role of HRDs, including EHRDs, through official statements at UNFCCC meetings.
  - Join the Leaders network for Environmental Activists and Defenders (LEAD) initiative which aims to secure the recognition of defenders; strengthen their meaningful participation in multilateral decision-making spaces and increase their protection and reduce violence against them.<sup>92</sup>
- Integrate explicit language on HRDs' recognition and protection into all relevant UNFCCC decisions and outcomes.
  - Ensure protection for EHRDs and their work is an integral part of the GST2 outcome and implementation.
- Mandate the UNFCCC Secretariat to establish a focal point for reprisals against HRDs participating in UNFCCC processes.
- Adopt concrete mechanisms for prevention of, protection from and response to reprisals and attacks on EHRDs.
  - Support the creation of a participation and protection fund for EHRDs within the UNFCCC, including operating entities of UNFCCC-related financial mechanisms such as the Loss and Damage fund to ensure their meaningful participation in all climate negotiations and decision-making spaces.
- Facilitate HRDs' access to COPs and other UNFCCC meetings through logistical support, including assistance with accreditation and inclusion in official delegations and by providing financial support.
- Consult with HRDs before during and after COPs and other relevant UNFCCC meetings

## **RESTRICTIONS ON FREEDOM OF EXPRESSION AND PEACEFUL ASSEMBLY IN HOST COUNTRIES**

The meaningful participation of a broad range of civil society actors, including Indigenous Peoples at UN climate conferences and the exercise of their rights to freedom of expression, association and peaceful assembly are crucial to ensure scrutiny of governmental action and to provide diverse inputs that can shape states' decisions. The exercise of these rights safely and without undue restrictions is therefore essential to foster global efforts to address the climate crisis.

Agreed conclusions of the UNFCCC's Subsidiary Body for Implementation (SBI) in June 2023<sup>93</sup> and reiterated in June 2024<sup>94</sup> and 2025<sup>95</sup> encouraged all hosts of UNFCCC meetings to reaffirm their commitment to upholding the purposes

<sup>92</sup> The Lead Initiative, <https://lead-initiative.com/>

<sup>93</sup> UNFCCC, *Report of the Subsidiary Body for Implementation on its fifty-eighth session, held in Bonn from 5 to 15 June 2023*, UN Doc. FCCC/SBI/2023/10, para 127

<sup>94</sup> UNFCCC, *Report of the Subsidiary Body for Implementation on its sixtieth session, held in Bonn from 3 to 13 June 2024*, UN Doc. FCCC/SBI/2024/13, para. 185

<sup>95</sup> UNFCCC, *Report of the Subsidiary Body for Implementation on its sixty-second session, held in Bonn from 16 to 26 June 2025*, UN Doc. FCCC/SBI/2025/11, para. 196

and principles of the UN Charter and international human rights law before, during and after UNFCCC sessions and mandated events, and to ensure that participants can exercise human rights without fear of intimidation and repercussions.

However, there have been numerous instances of human rights violations at previous UNFCCC meetings, including with regards to participation.<sup>96</sup> Visa challenges have frequently been cited, particularly for people from lower income countries. For example, at the 2024 June Climate Conference, climate campaigners raised concerns with the German foreign ministry about “discriminatory treatment”, after dozens of delegates from Africa and Asia, both from parties and from observer organizations, experienced trouble getting visas.<sup>97</sup> Similar experiences were reported at the 2025 June Climate Conference.<sup>98</sup>

COP29 was held in Baku, **Azerbaijan**, where the fossil fuel industry also helps finance a government that has severely repressed human rights and engages in lavish public relations to try and gloss over its appalling record of repression, including restrictive laws and regulations for registration and funding of media organizations which have decimated independent media outlets, arbitrary detention of journalists and critics, unlawful use of force, torture and other ill treatment of detainees and the crushing of civil society.<sup>99</sup> As a result, there is no space for the effective engagement of civil society in environmental debate or decision-making and independent Azerbaijani voices were missing from COP29, with many activists and journalists either behind bars or in exile.<sup>100</sup>

Dozens of journalists are detained,<sup>101</sup> including six from investigative news outlet AbzasMedia which covered corruption and a crackdown on an environmental protest, as well as journalists from ToplumTV and MeydanTV who covered an incident of staff protest and a protest of an animal-defender at COP29.<sup>102</sup> They also include prominent human rights defender Anar Mammadli, who is Head of the Election Monitoring and Democracy Studies Centre and co-founder of the Climate of Justice Initiative<sup>103</sup> in Azerbaijan who has been arbitrarily detained since his arrest on 24 April 2024,<sup>104</sup> a sign of the crackdown by the Azerbaijani authorities ahead of and after COP29 on the rights to freedom of expression, association and peaceful assembly.

The repressive atmosphere also led to some civil society activists choosing to stay away, and to a climate of fear for those who attended. Amnesty International observed a clear pattern of activists being afraid to mention the name of Azerbaijan in conversations in the UN-run “Blue Zone”, and several described incidents of their accommodation clearly having been entered in their absence, with doors and windows left wide open and, in some cases, personal possessions being moved

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<sup>96</sup> For further details of some of the violations reported, see Amnesty International, *Recommendations to parties to the UNFCCC on human rights consistent climate action in 2024*, October 2024, Index: IOR 40/8627/2024, <https://www.amnesty.org/en/documents/ior40/8627/2024/en/>

<sup>97</sup> Climate Home News, “Climate campaigners have accused the German foreign ministry of “discriminatory treatment”, after dozens of delegates from Africa and Asia experienced trouble getting visas”, 14 June 2024, <https://www.climatechangenews.com/2024/06/14/visa-chaos-for-developing-country-delegates-mars-bonn-climate-talks/>

<sup>98</sup> See for example Power Shift Africa, “Day 8 at Bonn Climate Talks: Visas, NAPs and the murky waters of GGA”, 17 June 2025, <https://www.powershiftafrica.org/blog/updates-bonn-climate-conference-2025> and UNFCCC, *Report of the Subsidiary Body for Implementation on its sixty-second session, held in Bonn from 16 to 26 June 2025*, previously cited, para 194

<sup>99</sup> Amnesty International, *Azerbaijan: No sign of hope for the human rights situation in Azerbaijan: Systemic and serious breaches of human rights must be strongly condemned*, 23 January 2025, Index: EUR 55/8963/2025, <https://www.amnesty.org/en/documents/eur55/8963/2025/en/>

<sup>100</sup> Amnesty International, “COP29: Finance target is a blueprint for inequalities and violations”, 25 November 2024, <https://www.amnesty.org/en/latest/news/2024/11/cop29-finance-target-is-a-blueprint-for-inequalities-and-violations/>

<sup>101</sup> Amnesty International, *Urgent Action: Azerbaijan: Release Arrested Journalists*, 9 May 2024, <https://www.amnesty.org/en/documents/eur55/7946/2024/en/>

<sup>102</sup> Amnesty International, *Urgent Action: Azerbaijan: Release Arrested Journalists after COP29*, 9 January 2025, <https://www.amnesty.org/en/documents/eur55/8911/2025/en/>

<sup>103</sup> Founding statement of COP29 - Climate of Justice Initiative available at: [https://openazerbaijan.org/site/assets/files/2273/cop29\\_-\\_climate\\_of\\_justice\\_initiative.pdf](https://openazerbaijan.org/site/assets/files/2273/cop29_-_climate_of_justice_initiative.pdf)

<sup>104</sup> Amnesty International, “Azerbaijan: Human rights and climate justice advocate arrested ahead of COP29”, 30 April 2024, <https://www.amnesty.org/en/latest/news/2024/04/azerbaijan-human-rights-and-climate-justice-advocate-arrested-ahead-of-cop29/>

or hidden.<sup>105</sup> Those experiencing such incidents believed they were being sent a message that they were being watched by Azerbaijani security forces.

As in COP27 and COP28 in **Egypt** and **the UAE** previously, the lack of guarantees to safely hold peaceful protests outside the “Blue Zone” in Baku meant that the conference venue was the only safe space for climate justice activism. Protests are generally not permitted in UN spaces, but the UNFCCC Secretariat grants permission for some so-called “advocacy events” to take place in the “Blue Zone”, after undergoing an authorization process to agree format, place, time and content.<sup>106</sup> However, as at COP28, and the June Climate Conferences in June 2024, the UNFCCC Secretariat imposed unprecedented restrictions on peaceful protest and other forms of free expression at “advocacy events” within the “Blue Zone”, particularly in relation to events on the situation in Gaza or which highlighted restrictions on human rights within the host country.<sup>107</sup> This was repeated at the 2025 June Climate Conference.<sup>108</sup>

For example, Amnesty International faced new restrictions at COP29 in organizing an action in solidarity with imprisoned and persecuted human rights defenders around the world. Not only did the UNFCCC Secretariat prohibit any mention of the country where the HRDs were imprisoned in, and the printing of the individual’s name on a photograph or T-shirt, but this time also required Amnesty International to demonstrate that all of those named had a clear connection to defending the environment, citing an unpublished agreement with Azerbaijan about the organization of advocacy actions. Amnesty International protested this requirement, stressing the fact that human rights are indivisible and as such are all essential for the achievement of climate justice.<sup>109</sup> Other organizations reported that logos of national organizations that contained a country name (eg Oxfam Brazil) were not permitted to be displayed. These restrictions were compounded by limited space in the Baku conference venue which meant that numbers at most actions were more limited than in previous years, or led to restrictions on freedom of expression, such as a prohibition on chanting at the traditional People’s Climate March on the middle Saturday, which led to participants humming in protest.<sup>110</sup> UNFCCC budgetary restrictions resulted in fewer UN security staff on site; this meant that not all the available action sites could be used at the same time, in contrast to previous years. “Advocacy events” were also heavily surveilled by uniformed Azerbaijani security forces and by unknown individuals in plain clothes, who filmed participants in the events.

The UNFCCC updated its guidance for advocacy actions in 2025<sup>111</sup> and asked for civil society feedback. Amnesty International and the Center for International Environmental Law provided feedback in September 2025<sup>112</sup> and at the time of publication of this briefing, had received no response. The organizations’ feedback called for an explicit commitment to protecting human rights in advocacy actions, and its implementation in practice, including removal of the requirement for actions to have a clear link to climate change, as human rights are indivisible and are essential for the achievement of climate justice, and an end to the arbitrary restrictions on advocacy actions. It also called for a clear and effective process for complaints and redress about restrictions and violations of human rights in the context of advocacy actions.

The situation for freedom of expression, association and peaceful assembly in **Brazil** is also cause for concern. Human rights defenders and Indigenous Peoples are particularly at risk. Brazil saw the second highest number of killings of land and environmental defenders in 2023, according to Global Witness. In 2024, 1,134 were under monitoring, by the Protection Programme for Human Rights Defenders, with over half involving Indigenous and Quilombola individuals

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<sup>105</sup> For example, an Amnesty International delegate experienced coming back to her room late at night to discover a fire escape door that led to the ground floor was wide open, despite her having left it locked in the morning and spoke to two others who had experienced similar incidents.

<sup>106</sup> See for example UNFCCC, *Observer Handbook for SB 60*, slides 34-35, <https://unfccc.int/sites/default/files/resource/Observer%20Handbook%20for%20SB60.pdf>

<sup>107</sup> The Guardian, “Environmental campaigners filmed, threatened and harassed at COP28”, 20 December 2023, <https://www.theguardian.com/environment/2023/dec/20/threats-intimidation-creating-climate-of-fear-un-cop-events>

<sup>108</sup> See for example CAN International, “UNFCCC Censorship of Palestine Solidarity: NGOs at Bonn SB 62 call out moral crisis within the UN climate process”, 21 June 2025, <https://climatenetwork.org/2025/06/21/unfccc-censorship-of-palestine-solidarity-ngos-at-bonn-sb-62-call-out-moral-crisis-within-the-un-climate-process-2/>

<sup>109</sup> Email from Amnesty International to the UNFCCC Secretariat, on file.

<sup>110</sup> Associated Press, ‘Silent’ demonstration staged at COP29 climate summit, 16 November 2024, <https://www.youtube.com/watch?v=fD5oVUYyZ7E>

<sup>111</sup> UNFCCC, *Observers’ Guide to Advocacy Actions*, <https://unfccc.int/documents/646844>

<sup>112</sup> Email dated 15 September 2025 to UNFCCC Observer Relations Team, on file

(traditional people who are descendants of Africans who escaped slavery).<sup>113</sup> In April 2025, the police violently repressed a protest by Indigenous Peoples from across the country who met in the capital Brasília to claim their right to survival, denouncing the violations and attacks they have been enduring across the country.<sup>114</sup> The state of Pará, which will host COP30 in its capital Belém, registered the highest number of cases of violence against HRDs between 2019 and 2023, according to the local human rights organizations Terra de Direitos and Justiça Global.<sup>115</sup> Most threats came from landowners, companies and public security agents. Impunity for violations remains common and journalists and other media workers are also at risk.

Data released in 2024 by the Brazilian Association of Investigative Journalism reported 330 attacks on journalists in 2023, including stigmatization, physical assault, and civil and criminal lawsuits. The majority of the aggressors were state actors, accounting for 55.7% of cases. Alarming police violence also persists under the banner of the “war on drugs”. According to information released in 2024 by the Brazilian Public Security Forum, from 2013 to 2023 there was a 188.9% increase in homicides committed by police, with 6,393 deaths in 2023. Most of the victims were Black and young people, accounting for 82.7% and 71.7% of cases, respectively. Racism was also present in violence against the police, with Black police officers accounting for 69.7% of police deaths by lethal violence.<sup>116</sup>

Brazil must commit to ensuring that all participants in COP30 are able to exercise all their human rights, including the rights to freedom of expression, association and peaceful assembly without undue restriction. The UNFCCC should ensure that the rights to freedom of expression and peaceful assembly in the “Blue Zone” are not unduly restricted at COP30.

## INVESTIGATIONS OF COMPLAINTS OF HARASSMENT IN THE “BLUE ZONE”

The UNFCCC has stated that it has zero tolerance for harassment of participants. It widely promotes adherence to a Code of Conduct for meetings and provides details of how to report complaints.<sup>117</sup> Despite these positive steps, there is little information on the UNFCCC website regarding the process of investigation should complaints be made, other than a statement that complainants will be “informed as regards the status of the report” and a vague description of the kinds of action that may be taken to implement the UNFCCC Code of Conduct.<sup>118</sup> At previous UNFCCC briefings for civil society, UNFCCC officials stated that all complaints would be investigated and appropriate action taken, but gave no information as to what process any investigations would follow or whether there would be any reporting after the COP regarding complaints.<sup>119</sup>

In order to reassure people who wish to report harassment, or other security-related incidents in the “Blue Zone”, that their complaints will be taken seriously, the UNFCCC should provide information on the process for investigation of complaints, the way in which the UNFCCC will guarantee that the investigation is conducted impartially and independently, and with clear timelines for each stage. If timelines cannot be adhered to, complainants should be given information as to the reason for the delays and expected new dates for each stage. The UNFCCC should also publish disaggregated data on the findings of any investigations, with due regard to the confidentiality of those affected, on at least an annual basis. As a minimum, this should include the number of complaints made, and the percentage upheld or

<sup>113</sup> Amnesty International, *The State of the World's Human Rights: April 2025*, 28 April 2025, Index: POL 10/8515/2025, p105, <https://www.amnesty.org/en/documents/pol10/8515/2025/en/>

<sup>114</sup> Brasil de Fato, “Indígenas são reprimidos pela polícia durante marcha do Acampamento Terra Livre em Brasília”, 10 April 2025, <https://www.brasildefato.com.br/2025/04/10/indigenas-sao-reprimidos-pela-policia-durante-marcha-do-acampamento-terra-livre-em-brasilia/>

<sup>115</sup> Terra de Direitos e Justiça Global, “Na linha de frente: Violência contra defensoras e defensores de direitos humanos no Brasil de 2019 a 2022”, 2023, [https://www.global.org.br/wp/wp-content/uploads/2023/11/Na-Linha-de-Frente-\\_compressed.pdf](https://www.global.org.br/wp/wp-content/uploads/2023/11/Na-Linha-de-Frente-_compressed.pdf)

<sup>116</sup> For more information about the human rights situation in Brazil, see Amnesty International, *The State of the World's Human Rights: April 2025*, 29 April 2025, Brazil section pp 103-107, <https://www.amnesty.org/en/documents/pol10/8515/2025/en/>

<sup>117</sup> UNFCCC, *Code of Conduct for UNFCCC Events*, <https://unfccc.int/about-us/code-of-conduct-for-unfccc-conferences-meetings-and-events> accessed on 19 October 2025

<sup>118</sup> UNFCCC, *Code of Conduct for UNFCCC Events*, previously cited

<sup>119</sup> UNFCCC, Recording of “COP 29 Briefing Sessions for Observers: Logistics, Security, and Code of Conduct I”, 7 October 2024, <https://www.youtube.com/watch?v=6xljwwT7JZY>

partially upheld. It must also uphold its commitment to take appropriate action in relation to threats, intimidation or any other form of retaliation against a participant who has made a complaint or provided information in support of a complaint.<sup>120</sup>

## GUARANTEEING PROTECTION OF RIGHTS AT UPCOMING MEETINGS

Measures implemented by the UNFCCC at the June Climate Conferences in 2024 and 2025 and at COP29 reduced effective participation. Amnesty International is aware that many accredited observers received fewer badges for both meetings than in previous years, which the UNFCCC stated was due to rising numbers of requests and health and safety capacity restrictions in the venues.<sup>121</sup> The UNFCCC also reported that it had budget limitations<sup>122</sup> that caused it to cut back on activities, including Regional Climate Weeks<sup>123</sup> (that affected participation and input from grass roots organizations in each region) and the provision of a platform for virtual attendance at the June Climate Conference<sup>124</sup> (which limited access to proceedings for individuals unable to attend in person) and fewer side events,<sup>125</sup> which were not routinely live streamed (limiting the range of views and information that can be presented and access for those unable to attend in person).

While the reinstatement of two Regional Climate Weeks and of virtual participation modalities at the June Climate Conference in 2025 is welcome, some observers and party delegates continued to face challenges in participating in the June Climate Conference. The allocation of in-person badge quotas was delayed for over two weeks, due to the reported high number of requests,<sup>126</sup> which made it harder for participants planning to attend to finalise their travel plans and likely increased the costs as time passed. Individuals experienced difficulties in getting appointments for Schengen visas to attend the June Climate Conference.<sup>127</sup> Germany must take adequate steps to ensure that delegates wishing to attend future June Climate Conferences can obtain visas in a timely manner. In this regard, the provision of an e-visa service for COP30 by Brazil is welcome.

Following negotiations at the 2024 and 2025 June Climate Conferences, where concerns were expressed about the imbalance of delegates from higher income countries compared to lower income countries, the UNFCCC has adjusted its algorithm for the allocation of badge quota for observers to COP29 to grant more badges to organizations from lower income countries. However, many observers, including Amnesty International, are facing a lack of badges to enable them to participate in COP30 as they have planned. Amnesty International has only received two badges for its delegation, which is hampering its plans to support Indigenous People's representatives from the Americas region to attend COP30 and is aware of many other organizations in a similar situation. The organization received five badges for COP29, and 10 for COP28. The fact that badges may be allocated by the day does not help continued and meaningful participation across the whole of the meeting, especially for those who wish to follow the negotiations and conduct advocacy with delegates. While Amnesty International fully supports greater participation by individuals from lower income countries, it is concerned that the algorithm may be adversely impacting the ability of global organizations headquartered in high income countries that have offices and branches in lower income countries to facilitate the meaningful participation of staff and partners from around the world in COP meetings. In the interests of transparency, the UNFCCC should provide more detailed information about the badge allocation process, including the algorithm used.

High costs of accommodation are also hampering effective and meaningful participation. Amnesty International heard reports from grass roots organizations expressing concern about the high cost of accommodation in Baku, which they said

<sup>120</sup> UNFCCC, *Code of Conduct for UNFCCC Events*, previously cited

<sup>121</sup> UNFCCC, *Recording of General Briefing on SB60 for Admitted IGOs and NGOs*, <https://www.youtube.com/watch?v=j9l5vQEA004>, from 45:27 to 48:39

<sup>122</sup> Climate Home News, "UN's climate work at risk, after EU limits budget increase, 20 June 2023", <https://www.climatechangenews.com/2023/06/20/unfccc-budget-climate-change-eu-bonn-funding/>.

<sup>123</sup> UNFCCC, *Regional Climate Weeks web page*, <https://unfccc.int/climate-action/regional-climate-weeks>, accessed on 4 May 2024

<sup>124</sup> UNFCCC, *Information for SB 60 participants (A-Z): Registration*, <https://unfccc.int/sb60/ifa#Registration>

<sup>125</sup> UNFCCC, *Recording of General Briefing on SB60 for Admitted IGOs and NGOs*, previously cited, from 38:12 – 39:07

<sup>126</sup> Information on the UNFCCC registration portal.

<sup>127</sup> Email on file with Amnesty International

priced them out of attendance or limited the number of people they could send. This situation is being repeated in Belém; Amnesty International is aware of Indigenous Peoples' representatives and others who have been unable to find accommodation at a price they can afford, despite a commitment in the Host Country Agreement to ensure the provision of accommodation at reasonable market rates.<sup>128</sup> However, high numbers are expected to register to attend, even though there is limited capacity in Belém to host them. Amnesty International considers it is essential to ensure that participants from all countries, particularly those most affected by climate harms, are adequately represented at COPs, but also urges states and the UNFCCC to consider other ways in which they can be supported to attend in practice, including through travel and accommodation support. Online participation should continue to be made available for all UNFCCC meetings.

## EMBEDDING HUMAN RIGHTS IN PUBLICLY AVAILABLE HOST COUNTRY AGREEMENTS

Access to information is part of the right to freedom of expression, and all parts of the UN should uphold that right through clear, easily accessible and transparent processes that are in line with OHCHR's 2022 report on good practices for establishing national normative frameworks that foster access to information held by public entities.<sup>129</sup>

It is imperative that the SBI Agreed Conclusions of 2023, 2024 and 2025 are fully implemented; these noted 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."<sup>130</sup>

There must also be full transparency around Host Country Agreements (HCAs) in order for participants to be able to have confidence that their rights will be protected when attending UNFCCC meetings, and that there is an adequate complaints process which enables them to be able to seek redress for harms suffered in the "Blue Zone", including guarantees of non-repetition. Prior to 2025, only a few HCAs have been made public by the host country.<sup>131</sup>

In this regard, the SBI Conclusions of June 2025 that requested the secretariat to publish the legal text of the host country agreement on the UNFCCC website as soon as possible after entry into force<sup>132</sup> and encouraged host governments to ensure that host country agreements enter into force as expeditiously as possible, was a welcome step towards meeting civil society demands for greater transparency, as was the recent publication of the COP30 HCA on the UNFCCC website.<sup>133</sup> An analysis of the human rights protections in the COP30 HCA is available in this joint open letter.

In future, ideally, draft agreements should be made available for public scrutiny and comment before signing. At the least, host countries and the UNFCCC Secretariat should routinely make the HCAs public swiftly after signing, without the requirement for it to come into force, and disseminate information about how to access them.

<sup>128</sup> UNFCCC, Host Country Agreement COP30, 26 September 2025, Article 7, <https://unfccc.int/documents/650106>

<sup>129</sup> OHCHR, *Report on good practices for establishing national normative frameworks that foster access to information held by public entities*, UN Doc. A/HRC/49/38, 10 January 2022, [https://ap.ohchr.org/Documents/dpage\\_e.aspx?si=A/HRC/49/38](https://ap.ohchr.org/Documents/dpage_e.aspx?si=A/HRC/49/38)

<sup>130</sup> UNFCCC, *Report of the Subsidiary Body for Implementation on its fifty-eighth session*, previously cited, para 129, UNFCCC, *Report of the Subsidiary Body for Implementation on its sixtieth session*, previously cited, para 188 and UNFCCC, *Report of the Subsidiary Body for Implementation on its sixty-second session*, previously cited, para. 198

<sup>131</sup> For example, Amnesty International has been able to locate the draft HCA for COP26 (available at: [https://assets.publishing.service.gov.uk/media/60e57d43d3bf7f56824cc4ca/TS\\_16.2021\\_UK\\_Secretariat\\_UNFCCC\\_Draft\\_Agreement\\_COP\\_26.pdf](https://assets.publishing.service.gov.uk/media/60e57d43d3bf7f56824cc4ca/TS_16.2021_UK_Secretariat_UNFCCC_Draft_Agreement_COP_26.pdf)) and the HCA for COP24 originally scheduled to be held in Chile (available at: [https://www.bcn.cl/historiadelaley/nc/historia-de-la-ley/vista-expandida/7927/#h2\\_4\\_1](https://www.bcn.cl/historiadelaley/nc/historia-de-la-ley/vista-expandida/7927/#h2_4_1))

<sup>132</sup> UNFCCC, *Report of the Subsidiary Body for Implementation on its sixty-second session*, previously cited, para. 201

<sup>133</sup> UNFCCC, Host Country Agreement COP30, previously cited

## RECOMMENDATIONS

### **Amnesty International calls on Azerbaijan, as outgoing President of COP29, to:**

- End all arbitrary and politically motivated prosecutions and cease threats, harassment and attacks against all human rights defenders and government critics.
- Ensure a safe and enabling environment for civil society, including NGOs, human rights defenders, journalists and activists, by repealing restrictive laws and policies, refraining from unduly restricting access to information, including about environmental and climate-related matters, and by releasing all who are arbitrarily detained.
- Ensure all persons can freely express themselves and peacefully demonstrate without discrimination or fear of reprisals.
- Bring the regulations on funding and registration of civil society organizations in line with international standards.
- Allow international human rights monitors unimpeded access to Azerbaijan to carry out their human rights work..
- Ensure thorough, prompt, impartial and independent investigations into all reports of human rights violations against human rights defenders and bring to justice those suspected of criminal responsibility for such crimes in fair trials.
- End all forms of discrimination and cease gendered reprisals against women and LGBTI human rights defenders, and ensure accountability for all reported instances of such reprisals, including instances and threats of sexual violence, public smears, violation of the right to privacy and unlawful surveillance, including against female relatives of human rights defenders, political activists and others.

### **Ahead of COP30 in November 2025, Amnesty International calls on Brazil, as President of COP30, to:**

- Publicly recognize and celebrate the legitimate work of human rights defenders, groups and organizations that contribute to climate justice, including those that protect the environment and those attending COP30, in particular Indigenous Peoples, Afro-descendants, other racialized people and groups, campesino and rural communities, children, youth, women and LGBTQI+ individuals.
  - Take all steps possible to embed protections for EHRDs in COP30 outcome decisions
- Ahead of, during and after COP30, respect, protect and guarantee the rights to freedom of expression, association and peaceful assembly without discrimination.
- Guarantee, through legislation and in practice, that peaceful protests and other gatherings during COP30 can take place, so all persons can freely express themselves and peacefully demonstrate inside and outside the COP30 venue without discrimination or fear of reprisals, that protests are facilitated and participants are not subject to attacks or reprisals.
- Take appropriate measures, through judicial, administrative, legislative or other appropriate means, including access to justice and effective redress, to ensure an end to impunity for attacks on human rights defenders, groups and organizations in the context of the climate crisis, including any attacks carried out in reprisal for participation in COP30.
- Facilitate the meaningful participation in, and full and equitable access to, COP30 for civil society organizations, including human rights and social justice movements and particularly for representatives of Indigenous Peoples, children, youth, older persons, women, people with disabilities, racialized people, and other marginalized groups who are on the frontline of climate change.

- Take further steps to ensure that safe, adequate and affordable accommodation is available for all participants.
- Facilitate the organization of parallel events by CSOs and Indigenous Peoples ahead of and during COP30, both inside and outside the COP30 venue, including by ensuring that forces responsible for policing public events are fully trained in human rights compliant policing methods.

**Amnesty International further calls on the UNFCCC Secretariat to:**

- Commit to upholding and protecting the rights to freedom of expression and to peaceful assembly within the Blue Zone including by amending the guidance on advocacy actions and facilitating their organization.
  - Remove the requirement that advocacy actions have to demonstrate a clear linkage with climate change as climate justice is intimately linked with all human rights
  - End the arbitrary policing of slogans and other unjustifiable restrictions on opinions in advocacy actions
  - Clarify the process for complaints and redress about restrictions on actions
  - Work with host countries to ensure adequate space and noise levels for advocacy actions
- Provide additional information on the process of investigation of complaints into harassment of all kinds or other personal security-related incidents at UNFCCC meetings and make public the findings of any investigations into reported instances of surveillance and harassment of EHRDs and climate activists at previous or future UNFCCC meetings on at least an annual basis and with due regard to the confidentiality of those affected.
- Liaise with the UN police to carry out a thorough and comprehensive human rights risk assessment for participants, including in relation to surveillance, arbitrary arrest and detention, the right to freedom of expression, including expression of sexual orientation and gender identity, and the right to peaceful assembly and put in place adequate measures to minimize risks of reprisals and acts of intimidation and ensure a safe environment for all observers, particularly Indigenous Peoples, EHRDs and climate activists, and communicate these to participating observers.
- Ensure clear human rights principles and protections, including for freedom of expression, association and peaceful assembly, are included in HCAs.
- To increase transparency and accountability:
  - Consult on draft HCAs with civil society before finalization.
  - After signature, swiftly publish the agreement with host countries on the UNFCCC website, and widely disseminate information about its publication.
  - Provide data on the number of requests for badges from observer constituencies and from parties for overflow badges for UNFCCC meetings, disaggregated as far as possible by constituency affiliation, gender, age, disability status, region and country.
- Combat reprisals and acts of intimidation against Indigenous Peoples or HRDs or climate activists for their engagement with the UNFCCC by:
  - Publicly denouncing all cases of reprisals;
  - Identifying 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.

- The focal point should make their contact details publicly available and inform all participants in UNFCCC meetings of the procedure to contact them.
- Facilitate adequate observer participation in all UNFCCC meetings by:
  - Communicating in a clear and timely way about the meeting and opportunities for observer participation;
  - Supporting observers from lower income countries to ensure balanced participation;
  - Ensuring adequate accessible space and seating is available to enable observers to be in the meeting room;
  - Putting in place full, effective, and meaningful remote participation modalities, including access to negotiations and live streaming of all side events;
  - Seeking additional funding to ensure that mandated activities are carried out and necessary measures to ensure effective observer participation are implemented, while ensuring in the meantime that any cuts to activities do not unduly restrict effective and meaningful participation by civil society, Indigenous Peoples, including youth and human rights defenders.

**Amnesty International further calls on all parties to the UNFCCC to:**

- Affirm publicly ahead of COP30 the expectation of every government that public participation and civic space be fully protected, without discrimination, from interference in the context of all COPs, including COP30 in Brazil
- Through the Arrangements for Intergovernmental Meetings negotiations:
  - Ensure explicit language on HRDs' recognition and protection is integrated into COP HCAs;
  - Agree a mandate for the UNFCCC Secretariat to meaningfully consult on draft HCAs and speedily publish all HCAs once signed without waiting for it to come into force.
- Urge Azerbaijan and Brazil to abide by their international human rights obligations, in particular by immediately and unconditionally releasing anyone arbitrarily detained solely for peacefully exercising their human rights; protecting human rights defenders from stigmatization, attacks and killings; repealing repressive and discriminatory laws and practices, including any unduly limiting the rights to freedom of expression, association and peaceful assembly; and combatting discrimination and violence against women and girls and LGBTQI+ individuals.
- Make support for civil society's participation in global climate decision-making a foreign policy priority, including by increasing political and diplomatic efforts to protect environmental and human rights defenders as well as climate activists.
- Publicly denounce all instances of reprisals and acts of intimidation against participants before, during or after UNFCCC meetings and urge the UNFCCC Secretariat to conduct prompt, impartial and independent investigations into allegations of such acts in the "Blue Zone" and to make their findings public, with due regard for confidentiality of those affected.
  - Encourage the revision of the UNFCCC Code of Conduct so that it explicitly prohibits reprisals against HRDs for their participation in climate processes.
- Ensure that UNFCCC meetings 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, in line with the SBI Agreed Conclusions of 2023, 2024 and 2025.

- According to capacity, contribute additional funding to the UNFCCC to ensure that measures restricting civil society participation relating to lack of resources are reversed and to facilitate adequate observer participation in all UNFCCC meetings.
- Support national Action for Climate Empowerment (ACE) strategies with dedicated HRD participation mechanisms.

**Amnesty International is a movement of 10 million people which mobilizes the humanity in everyone and campaigns for change so we can all enjoy our human rights. Our vision is of a world where those in power keep their promises, respect international law and are held to account. We are independent of any government, political ideology, economic interest or religion and are funded mainly by our membership and individual donations. We believe that acting in solidarity and compassion with people everywhere can change our societies for the better.**