SPECIAL PROCEDURES
UNITED NATIONS
HUMAN RIGHTS COUNCIL

# THE IMPERATIVE OF DEFOSSILIZING OUR ECONOMIES

Summary of the Report of the Special Rapporteur on the promotion and protection of human rights in the context of climate change, Elisa Morgera

A/HRC/59/42

*Image: Patrick Hendry / Unsplash*

# Introduction

**Climate change adversely affects the enjoyment of human rights for all**. To secure a liveable and sustainable future, effective climate action must be prioritized within this decade.

There is no scientific doubt that **fossil fuels are the principal cause of the climate crisis**, as well as a major driver of toxic pollution and biodiversity loss. Under international human rights law, **States have legal obligations and businesses have responsibilities to phase out fossil fuels and related subsidies.**

The interlinked, intergenerational, severe and widespread human rights impacts of the fossil fuel life cycle, coupled with six decades of climate obstruction, compel **urgent defossilization of our whole economies**. This is essential for a just transition that is effective, human rights-based and transformative.




*Image: Markus Spiske / Unsplash*

# Fossil Fuel Impacts

**Fossil fuels (coal, gas and oil) are the primary cause of climate change and the driver of other planetary crises - biodiversity loss, toxic pollution, inequalities and human rights violations.**

Despite recognition of the need to phase out fossil fuels and significant progress in decarbonizing the energy sector, **fossil fuel extraction and use are projected to increase**.

The expanding production of **plastics and petrochemicals** particularly embeds fossil fuel dependence across sectors.

**Fossil fuels cause severe harm at every stage of their life cycle:**

- **Exploration, site development and exploitation** cause toxic pollution, evictions and displacement, water scarcity, biodiversity loss, and harm to livelihoods and cultural heritage, disproportionately impacting communities in vulnerable situations.
- **Fossil fuel burning** contributes to transboundary air pollution, exacerbating pre-existing health conditions and contributing to 8 million premature deaths annually.
- **Decommissioning and site reclamation** can leave pollutants in water and soil, hindering ecosystem restoration, agricultural productivity and water safety for generations.

**Plastics** cause additional and distinct harms, including ocean, soil, water and air pollution and intergenerational health impacts.

**Petrochemicals** introduce harmful substances into our food systems, harming the environment and human health.

*Image: Teslariu Mihai / Unsplash*

# Human Rights Obligations

**The fossil fuel life cycle adversely affects a broad range of civil, political, economic, social, and cultural rights.**

Interpreted in light of the best available science, **several international human rights law obligations underpin the fossil fuel phaseout.**

These include but are not limited to the obligation to respect, protect and fulfil the **rights to life, health, water, food** and **housing**. The right to **self-determination** must be protected as a peremptory norm of international law.

The phaseout should also be understood as an important precondition for the right to **development** and the right to a **clean, healthy and sustainable environment**.

Recognizing that individuals and groups in vulnerable situations are disproportionately affected - including Indigenous Peoples, people of African descent, peasants, small-scale fishers, women, children and future generations - the principles of **non-discrimination** and **intergenerational equity** must be upheld.



*Image: Mathias Reding / Unsplash*

# Challenges to Defossilization

## Profits and Subsidies

Fossil fuel companies continue to generate extremely large profits while being heavily **subsidized with public funds.** Removing fossil fuel subsidies could reduce emissions by up to 10% by 2030.

These subsidies are contrary to States' obligations to **allocate the maximum available resources toward the progressive realization of human rights**. These funds should be redirected to climate finance.

Other factors that enable fossil fuel expansion include:

- Tax evasion and financial secrecy
- Private financing to fossil fuel companies
- Corporate protection against climate action under international investment law

**Ultimately, the loss of finance for the just transition undermines the realization of human rights, while low- and middle-income households bear the financial burdens of climate change impacts.**



*Image: Kelly Sikkema / Unsplash*

# Challenges to Defossilization

## The Climate Obstruction Playbook

For over six decades, the fossil fuel industry has deployed a 'playbook' **to keep the public uninformed about the severity of climate change and the role of fossil fuels in causing it.**

This includes:

- Misinformation and disinformation campaigns
- Influence over academic research and media narratives
- Political lobbying to increase influence in policy spaces
- Greenwashing, through misleading promotion of false solutions
- Legal intimidation, including through Strategic Lawsuits Against Public Participation (SLAPPs)
- Harassment, criminalization, and violence targeting environmental and Indigenous human rights defenders

These tactics negatively impact the rights to information, education and science and prevent effective human rights protection.



*Image: Matt Palmer / Unsplash*

# Recommendations for States

**Defossilize the economy** by **co-developing** defossilization plans with affected rights-holders and **adopting binding and time-bound measures**, including to prohibit new fossil fuel exploration and exploitation.

**Reprioritize energy demands** by fairly and equitably distributing the benefits and burdens of defossilization, prioritizing the energy needs of those in the most vulnerable situations.

**Carefully phase out fossil fuel subsidies** in a way that is transparent, participatory and just, including by redirecting subsidies towards climate finance.

**Defossilize knowledge** by ending fossil fuel industry influence over research, policy and media, and by protecting environmental human rights defenders.

**Remediate fossil fuel-related harm** to transform the economy by co-developing remedies together with affected human rights holders.

Advance defossilization under **existing international human rights obligations** and support its acceleration through ongoing multilateral negotiations, including on climate change, tax, plastics, and business and human rights.

*Image: Gayatri Malhotra / Unsplash*

# Recommendations for Companies, Investors and Others

**Fossil fuel companies** should urgently develop plans to close down existing operations, based on participatory human rights impact assessments. They should compensate victims and pay for the retraining and reskilling of workers.

**Fossil fuel companies** should disclose profits made and taxes paid, and abstain from influencing climate, environmental and human rights policymaking.

**Advertising and big-tech companies** should refuse fossil fuel advertising and sponsorships, publicly disclose funding from the fossil fuel industry, and actively support public education on defossilization.

**Investors** should conduct human rights due diligence and ensure access to effective remedies for human rights impacts.

**International financial institutions and development finance institutions** should prioritize funding for defossilization and refrain from funding projects that contribute to fossil fuel lock-in.

**The United Nations** should adopt safeguards against fossil fuel industry interference in policy processes and support States in defossilizing.

*Image: Gayatri Malhotra / Unsplash*

Read the full report:

**https://docs.un.org/en/A/HRC/59/42**

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