Briefing note on Human Rights and Just Transition for SB64

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I. Just Transition and Human Rights

States' human rights obligations[1] require urgent action to end the ongoing, devastating impacts of the climate crisis on human and planetary health on which human rights, dignity, and wellbeing depend. While transition is imperative, it is important to define where the world wants to transition to, and the means to get there in a way that does not reproduce systemic injustices and inequalities. [2]

Human rights obligations, including labour rights[3] and the rights of Indigenous Peoples, apply across all aspects of just transition.[4] The ICJ AO clarified the need to apply international human rights law to all climate action; and the Advisory Opinion of the Inter-American Court of Human Rights on the Climate Emergency and Human Rights provided detailed guidance on how to do it for the purposes of the just transition.

[1] The International Court of Justice Advisory Opinion on the Obligations of States in Respect of Climate Change (ICJ AO) specified 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 licenses or the provision of fossil fuel subsidies — may constitute an internationally wrongful act which is attributable to that State." International Court of Justice, Obligations of States in Respect of Climate Change Advisory Opinion.

[2] "A "Just Transition" means a transition towards environmentally sustainable economies and societies for all that is fair, equitable and inclusive, creates decent work opportunities, reduces inequalities and poverty, and enhances and upholds all human rights, including the right to development and the right to a clean, healthy and sustainable environment", Report of the Secretary-General, Synthesis report on opportunities, best practices, actionable solutions, challenges and barriers relevant to just transition and the full realization of human rights for all people. The Human Rights Council Resolution 56/8 recognized the imperative of a just transition of the workforce, to enhance sustainable development and uphold the human rights of all, with particular attention to workers, affected communities and persons in vulnerable situations.

[3] In a resolution adopted in 2023, the International Labour Conference endorsed the ILO Guidelines for a just transition towards environmentally sustainable economies and societies for all as the central reference for policymaking on just transition. The resolution emphasizes that, inter alia: "Just transition involves maximizing the social and economic opportunities of climate and environmental action, including an enabling environment for sustainable enterprises, while minimizing and carefully managing challenges. It should be based on effective social dialogue, respect for fundamental principles and rights at work, and be in accordance with international labour standards. Stakeholder engagement is also important ", and "Human rights and fundamental principles and rights at work should be respected, promoted and realized."

[4] See Annex: Extract from the Report of the Secretary-General, Synthesis report on opportunities, best practices, actionable solutions, challenges and barriers relevant to just transition and the full realization of human rights for all people.

There is **no "one-size-fits-all."** A Just Transition is important for all economic sectors--the formal and the informal economy--and for countries at all levels of development. Policies and programmes need to be designed in line with the specific conditions of countries, including their stage of development, economic sectors and types and sizes of enterprises, based on robust social dialogue with workers and their unions, good faith consultations to ensure the Free Prior and Informed Consent of Indigenous Peoples, and public participation with all stakeholders. The shift away from a fossil-fuel economy is essential, but the pathway forward must be framed as an extension of States' obligations to respect, protect and fulfill human rights.[5] For example, while renewable energy is essential to phase out fossil fuels and protect human rights, the rush to expand it, if not properly managed and grounded in human rights, poses risks for, inter alia, Indigenous Peoples, peasants and workers, as well as the environment.[6]

A just transition towards environmentally sustainable economies and societies for all is a matter of survival, and all countries and people everywhere should enjoy the socio-economic benefits of an equitable transition away from fossil fuels, while building resilience and adapting to the impacts of climate change. However, countries that do not have the fiscal and political space to diversify their economy may face challenges in moving away from polluting sectors, while also adapting to and averting and minimizing loss and damage caused by climate change. Support to developing countries' just transition pathways should be guided by human rights obligations related to international cooperation in the context of climate change and the principles of **equity, and common but differentiated responsibilities and respective capabilities**.[7]

A just transition must reduce, not reinforce, inequalities both within and between countries. The UN Secretary-General's report on just transition and human rights highlighted four interconnected pathways for achieving a human rights-based transition:[8]

a) **Advancing sustainable human rights economies.** This includes: implementing the recommendations of the UN Secretary-General's Panel on Critical Energy Transition Minerals to center human rights throughout value chains; implementing the recommendations of the Special Rapporteur on the promotion and protection of human rights in the context of climate change on a human rights-based approach to the energy transition; and establishing and enacting measures of progress beyond GDP that consider planetary boundaries and human rights.
b) **Implementing social and labour rights throughout transitions.** This includes: advancing rights at work for workers in the informal and formal sectors, including through social dialogue, care, domestic, and subsistence work; prioritizing universal social security, public services, and education; and taking transition measures that realize the potential to recognize, create, redistribute and value millions of new decent jobs, from care and support to adaptation.

[5] OHCHR and ILO Key Messages on a just transition and human rights.
[6] Special Rapporteur on the promotion and protection of human rights in the context of climate change. A human rights-based approach to the energy transition.
[7] Paris Agreement, art. 4(4); International Court of Justice, Obligations of States in Respect of Climate Change Advisory Opinion, paras. 247-248; Inter-American Court of Human Rights, Advisory Opinion AO-32/25, paras. 328-330.
[8] Report of the Secretary-General, Synthesis report on opportunities, best practices, actionable solutions, challenges and barriers relevant to just transition and the full realization of human rights for all people, A/HRC/60/52.

c) **Strengthening rights-based, democratic governance,** and integrating human rights throughout transition-related laws, policies, and activities.[9] This includes: ensuring meaningful and effective participation and access to information; social dialogue and collective bargaining for all workers and their unions; protecting environmental human rights defenders; and guaranteeing the rights of Indigenous Peoples, including their rights to self-determination and to their land, territories and resources.

d) The international community must work together in solidarity to comply with States' duty to cooperate to prevent significant harm to the climate system and the environment,[10] thereby ensuring the **financing, capacity-building, technology transfer and co-development** necessary to achieve just transitions for all people. This may include: scaled-up grant-based financing, debt relief and cancellation, progressive taxation, and prevention of conflicts over transition resources.

II. The UAE Just Transition Work Programme

Under the **Paris Agreement**, governments committed to take into account "the imperatives of **a just transition of the workforce** and the **creation of decent work and quality jobs** in accordance with **nationally defined development priorities**."

In 2022, the **Sharm el-Sheikh Implementation Plan** affirmed that "sustainable and just solutions to the climate crisis must be founded on **meaningful and effective social dialogue and participation of all stakeholders** and noted that the global transition to low emissions provides **opportunities and challenges for sustainable economic development and poverty eradication."**

It further emphasized that "just and equitable transition encompasses pathways that include **energy, socioeconomic, workforce and other dimensions**, all of which must be based on **nationally defined development priorities** and include **social protection** so as to mitigate potential impacts associated with the transition, and highlights the important role of the instruments related to **social solidarity** and **protection in mitigating the impacts** of applied measures."

The Sharm el-Sheikh Implementation Plan established "a work programme on just transition for discussion of pathways to achieving the goals of the Paris Agreement outlined in **Article 2, paragraph 1, in the context of Article 2, paragraph 2,** (...) with the work programme to be implemented in a manner that **builds on and complements the relevant workstreams under the Convention and the Paris Agreement**, including **the work programme for urgently scaling up mitigation ambition and implementation."**[11]

In 2023, the **UAE Just Transition Work Programme** established that "the objective of the work programme on just transition shall be the discussion of pathways to achieving the goals of the

[9] See: Inter-American Court of Human Rights, Advisory Opinion AO-32/25. Section VI.C.1: Democracy and Procedural Rights in the Context of Climate Emergency, pgs. 156-160.
[10] See: International Court of Justice, Obligations of States in Respect of Climate Change Advisory Opinion, paras. 301-308, and Inter-American Court of Human Rights, Advisory Opinion AO-32/25, paras. 88-93.
[11] Article 2.1 refers to temperature goals, adaptation capacity and financial flows, while article 2.2 refers to common but differentiated responsibilities and respective capabilities.

Paris Agreement outlined in Article 2, paragraph 1, in the context of Article 2, paragraph 2" and laid out the elements for the work programme, as follows:

a) Just transition pathways to **achieving the goals of the Paris Agreement outlined in Article 2, paragraph 1, in the context of Article 2, paragraph 2**;
b) Just and equitable transition, which encompasses **pathways that include energy, socioeconomic, workforce and other dimensions**, all of which must be based on **nationally defined development priorities** and include **social protection** so as to mitigate potential impacts associated with the transition;
c) **Opportunities, challenges and barriers relating to sustainable development and poverty eradication** as part of transitions globally to low emissions and climate resilience, taking into account nationally defined development priorities;
d) Approaches to **enhancing adaptation and climate resilience** at the national and international level;
e) **Just transition of the workforce and the creation of decent work and quality jobs** in accordance with nationally defined development priorities, including through **social dialogue, social protection and the recognition of labour rights**;
f) **Inclusive and participatory approaches** to just transitions that leave no one behind;
g) **International cooperation** as an enabler of just transition pathways towards achieving the goals of the Paris Agreement;

At COP-29, Parties failed to reach an agreement on extending or enhancing the programme beyond 2026, deferring the matter to CMA.7 in 2025.

However, COP-30 achieved an ambitious outcome through its Decision 2/CMA.7)[12]. The decision text incorporated strong, operational language on human rights and inclusion addressing, inter alia, labour rights; the rights of Indigenous Peoples, gender equality, education, and stresses the important role of non-party stakeholders including local communities, people of African descent, women, youth and children . In Belém, Parties also acknowledged that financing remains a major challenge for a just transition and highlighted the importance of increasing new and additional grant-based support for developing countries.

Post-COP30: Based on the COP30 decision text, the secretariat decided to advance on the process of the operationalization of the just transition mechanism (Decision 2/CMA.7 paragraph 26). OHCHR's submission of views on the operationalization (March 2026), highlighted three key considerations:

1. The JTM must ensure inclusion, transparency and meaningful and effective participation, thereby enabling the voices of those most impacted by climate change and efforts to address it, to shape just and equitable transition pathways.

2. The JTM should connect and build on relevant initiatives both within and beyond UNFCCC.

3. The mechanism should make use of the technical support/expertise from relevant UN organizations. OHCHR technical support, for example, could support the integration of human

[12] UAE Just transition work programme

rights, including the right to a clean, healthy, and sustainable environment, into the work of the mechanism.

At SB64, technical experts will recommend a draft decision based on the views collected. The draft on the modalities of implementation will then be adopted during November's COP31 in Turkey. Countries will then decide on the future of the Just Transition Work Programme (JTWP), whose mandate ends this year. It is crucial that those discussions will integrate the above-mentioned key considerations to achieve a mechanism that can respect, protect and fulfill human rights.

Recommendations

Human rights are inherent to the concept of just transition, providing a critical framework for ensuring transitions prioritize human dignity, as well as human and planetary health, while addressing systemic injustices and supporting sustainable development. Human rights also offer well-established benchmarks to measure the attainment and just implementation of these goals and ensure access to justice and remedy when efforts fall short. The human right impacts of the climate crisis are intersectoral,[13] and hence must be addressed beyond the energy sector, through a system-wide and whole-of-society just transition.

Inputs from States through the just transition dialogues, NDCs,[14] and related processes highlight common themes,[15] including workforce impacts, social protection, governance, public participation and social dialogue, capacity-building, climate finance, gender equality, and energy transition. These priorities align with the Sharm el-Sheikh Implementation Plan, the UAE JTWP, HRC Resolution 56/8,[16] and ILO Guidelines for a just transition, as well as the ILC Resolution[17] concerning a just transition towards environmentally sustainable economies and societies for all.

To advance on the Just Transition Agenda, process at SB64 and an ambitious decision at COP31 should build on the elements already agreed in the JTWP (as outlined above), be cross-sectoral (i.e. holistic rather than sector specific; cross-sector and cross-scale dynamics are critical) and include the following additional elements:

1. The operationalization of the **Global Just Transition Mechanism**, with an inclusive and participatory Advisory Body. The mechanism should facilitate knowledge-sharing through connecting with and relying on the technical support and expertise of relevant initiatives within and beyond UNFCCC processes and other relevant international institutions (such as OHCHR) and agreements (biodiversity, oceans, water, desertification, chemicals, taxation). This can advance a human rights-based approach, highlight convergence of efforts, including financial, technological and institutional and support inclusion, transparency and free, active, meaningful and informed participation by rights-holders.

[13] Special Rapporteur on the promotion and protection of human rights in the context of climate change. The imperative of defossilizing our economies.
[14] NDC3.0 from 44 countries include language on Just Transition commitments (as of 16 October).
[15] OHCHR desk research. See: Nationally Determined Contributions Registry.
[16] Human Rights Council, Human Rights and Climate Change, A/HRC/RES/56/8.
[17] ILC, Resolution concerning a just transition towards environmentally sustainable economies and societies for all.

2. A call for **financial institutions** to fund just transition through new and additional grant-based, highly concessional financing and non-debt instruments and supporting developing countries– including through debt relief and cancellation measures.[18]

3. A clear commitment to the full, equitable, and rapid **phase-out of fossil fuels**, as called for in science-based pathways to limit global heating to 1.5 or well below 2 degrees Celsius.
4. A call for States to **integrate just transition in NDCs, NAPs and LT-LEDS**, with the meaningful participation of workers, trade unions, Indigenous Peoples, Afro-descendants, peasants, civil society, women, girls and persons with diverse gender identities, children and young people, to contribute to the design and implementation of just transition plans across different sectors, including energy, agriculture, transport and construction, that advance the fulfilment of all human rights. Tripartite social dialogue involving governments, employers and workers to shape labour policies is critical.
5. An explicit guarantee of the human rights of Indigenous Peoples and their **free, prior and informed consen**t in line with the United Nations Declaration on the Rights of Indigenous Peoples, as well as the human rights of peasants and other rural workers in line with the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas.
6. A commitment to ensuring **gender equality** throughout the transition, through gender-transformative policies across sectors and the recognition, reward, redistribution, and representation of the care economy, including domestic and subsistence forms of work.
7. **Comprehensive just transition plans** in line with human rights standards, including the ILO Guidelines on just transition, which are focused on generating decent work, combating inequalities, reducing poverty, upholding the human rights of workers, peasants, Indigenous Peoples, Afro-descendants, and affected communities, supporting skills and sustainable enterprises development, including MSMEs and cooperatives and other social and solidarity entities, and providing robust public services and social protection, particularly to people in vulnerable and marginalized situations impacted by climate change and the measures to address it.
8. **Climate solutions at the nexus of nature, food, water and health**,[19] in line with applicable international obligations as underscored by the ICJ AO and considering integrated and comprehensive solutions to ensure that climate action safeguards human rights and delivers multiple benefits relating to climate change, livelihoods, food security, biodiversity, ecosystems, health, and water, while addressing unsustainable production and consumption patterns that drive excessive resource demands, harming rights and nature.[20]
9. International cooperation to **support technology co-development and locally identified priorities,** in line with the principles of **international solidarity, equity and common but differentiated responsibilities and respective capabilities.**

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[18] See: International Court of Justice, Obligations of States in Respect of Climate Change Advisory Opinion, paras. 301-308 and 263-265; Committee on Economic, Social and Cultural Rights, General comment No. 27 (2025) on economic, social and cultural rights and the environmental dimension of sustainable development, paras. 17, 34, and 37.

[19] Special Rapporteur on the promotion and protection of human rights in the context of climate change. A human rights-based approach to the energy transition. See also IPBES, Thematic Assessment Report on the Interlinkages among Biodiversity, Water, Food and Health of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services.

[20] IPES Food, Climate Change, Adaptation and the Potential of Agroecology.

10. The explicit recognition of the need to **protect environmental human rights defenders** from threats, intimidation, reprisals, and violence, including gender-based violence. A safe and enabling civic space is an essential precondition for inclusive participation in just transition processes and the broader protection of human rights including the right to a healthy environment.
11. While the JTWP should continue with its own track/objectives, to have greater impact, it should also be effectively integrated with other negotiation streams (e.g. GST, MWP, GGA, L&D, KCI, NDCs, NAPs, LT-LEDS, GAP, etc.) as crosscutting to all efforts for mitigation, adaptation and to avert, minimize and address L&D.

III. Resources

UNFCCC Outcomes

- UNFCCC United Arab Emirates Just Transition Work Programme
- UNFCCC COP-27: Decision 1/CMA.4
- UNFCCC COP-28: Decision 3/CMA.5
- UNFCCC Katowice Committee on Impacts, Compilation and Synthesis Report on Guidelines and Policy Frameworks for Just Transition of the Workforce and the Creation of Decent Work and Quality Jobs

Legal Documents

- UN Declaration on the Rights of Indigenous Peoples
- UN Declaration on the rights of peasants and other people working in rural areas - Note by the Secretariat
- ILC Resolution concerning a just transition towards environmentally sustainable economies and societies for all
- Human Rights Council Resolution 56/8: Human Rights and Climate Change
- Committee on Economic, Social and Cultural Rights, General comment No. 27 (2025) on economic, social and cultural rights and the environmental dimension of sustainable development

UN Resources

- OHCHR Views on the process for operationalization of a just transition mechanism
- Office of the United Nations High Commissioner for Human Rights submission to the COP 30 Presidency Roadmap on the Transition Away from Fossil Fuels
- Report of the UN Secretary General Synthesis on opportunities, best practices, actionable solutions, challenges and barriers relevant to just transition and the full realization of human rights for all people
- ILO Guidelines for a just transition towards environmentally sustainable economies and societies for all
- OHCHR and ILO Key Messages on a Just Transition and Human Rights
- ILO Gender, equality and inclusion for a just transition in climate action: A policy guide
- UN Secretary-General's Panel on Critical Energy Transition Minerals: Principles to guide critical energy transition minerals towards equity and justice
- UNEP-OHCHR Environmental Rights Bulletin

Reports of the special procedures mechanisms of the Human Rights Council

- Report of the Special Rapporteur on the promotion and protection of human rights in the context of climate change, The imperative of defossilizing our economies
- Report of the Special Rapporteur on the promotion and protection of human rights in the context of climate change, A human rights-based approach to the energy transition
- Report of the Special Rapporteur on the situation of human rights defenders, Tipping points: human rights defenders, climate change and a just transition
- Report of the Special Rapporteur on extreme poverty and human rights, Eradicating poverty beyond growth
- Report of the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes, The toxic impacts of some proposed climate change solutions
- Report of the Special Rapporteur on the human rights of Indigenous Peoples, Green financing – a just transition to protect the rights of Indigenous Peoples

IV. Annex

Extract from the Report of the Secretary-General, Synthesis report on opportunities, best practices, actionable solutions, challenges and barriers relevant to just transition and the full realization of human rights for all people (September 2025) A/HRC/60/52

This extract from the Secretary General's report describes key human rights laws, norms, standards and principles applicable to just transition processes.

III. Human rights frameworks for just transition

16. This section examines international human rights law foundations for human rights-based just transition, outlining relevant human rights standards, treaties, and principles, including in the labor rights context, as well as business responsibility frameworks.

17. Human rights obligations apply across all aspects of just transition. States have obligations to respect, protect, and fulfil human rights, across their transition-related efforts. These include establishing guardrails protecting against foreseeable harm to human rights, alongside positive action to fulfil rights. The Guiding Principles on Critical Energy Transition Minerals also provide that "human rights must be at the core of all mineral value chains, underpinned by justice and equity".[21] The universality, indivisibility, and inalienability of the human rights framework furthermore provides a counterweight to profit-driven, utilitarian transition models.

18. Just transitions should be guided by social, economic, and environmental justice, including climate justice, described by the Intergovernmental Panel on Climate Change (IPCC) as linking development and human rights to achieve a rights-based approach.[22] Justice also relates to rights to access justice and to effective remedy, requiring remedying past human rights harms, including redressing environmental injustice and historically-rooted discrimination, and preventing foreseeable future harms, including through cessation and systemic non-repetition of harm.[23] The principles of equity, formal and substantive equality, and non-discrimination are necessary to avoid replicating past injustices in transitions, within and among countries.

19. Under ICESCR (Article 2(1)), States have a duty to undertake steps, individually and through international assistance and co-operation, to the maximum of their available resources, for the progressive realization of economic, social, and cultural rights. Failure to take such steps including, where applicable, to prevent foreseeable human rights harms caused by environmental degradation, including delayed transitioning, could amount to a breach of this obligation. States have human rights obligations within and, in some instances, subject to strict requirements, beyond their territories. This may include avoiding regulations harming the enjoyment of rights abroad, while regulating corporations domiciled in their territory and/or jurisdiction conducting activities abroad, to facilitate and enable just transition.[24]

20. All people have the human right to a clean, healthy and sustainable environment, which requires, inter alia, a safe and stable climate, healthy ecosystems and biodiversity, non-toxic

[21] Secretary-General's Panel on Critical Energy Transition Minerals (2024), p. 4.
[22] IPCC, Summary for Policymakers, in: Climate Change 2022: Impacts, Adaptation and Vulnerability, p. 7.
[23] For more on remedies, see: A/HRC/57/30.
[24] See: A/HRC/57/60.

environments, clean air and water, *adequate* and nutritious food, participation, access to information and access to justice.[25] The right to development, as outlined in the United Nations Declaration on the Right to Development, requires States to create national and international conditions favorable to its realization. Given their interdependence, the right to development cannot be realized at the expense of the right to a healthy environment or other rights, and vice-versa.[26] The right of peoples to self-determination is also crucial for transitions led by people, including Indigenous Peoples, and for sustainable development.

21. The ILO Guidelines for a Just Transition (2015), endorsed by the 2023 International Labour Conference (ILC) Resolution on Just Transition, establish that human rights and fundamental principles and rights at work must be respected, promoted, and realized throughout transition processes, while international labour standards giving expression to other human rights also address transition-related matters.[27] ILO's conventions constitute binding obligations, including on freedom of association, elimination of forced labor, abolition of child labor, and a safe and healthy working environment. The human right to work (ICESCR articles 6 and 7) affirms State obligations to secure individuals' right to freely chosen or accepted work, to organize and collectively bargain, fair wages, reasonable working hours, safe working conditions, and protection against unjust deprivation of employment, inter alia.[28]

22. The human right to social security (ICESCR article 9), central to just transition, is reflected in other human rights instruments alongside ILO's Social Security (Minimum Standards) Convention (No. 102), Social Protection Floors Recommendation (No. 202), and other labor standards.[29] The right to an adequate standard of living, including rights to food, water, and housing, calls for improvement of living conditions in transitions.[30] The right to education can enable acquisition of green skills, while the right to health requires universal health coverage and informs environmental determinants of health, including at work in transitions.

23. The right to life requires transitions to protect human life of all, including of workers and human rights defenders. The rights to access information and to free, active, meaningful and informed participation in public affairs are guaranteed by the International Covenant on Civil and Political Rights, alongside other instruments. Freedom of association and to form and join trade unions protect organized labor in transitions, also relating to freedoms of expression and assembly.

24. Human rights treaties and instruments establish obligations on rights of people most at-risk of being left behind in transitions, including women, children, older persons, persons with disabilities, Indigenous Peoples, minorities, people of African descent, migrants, peasants and other people working in rural areas, and persons living in poverty.

[25] See: A/RES/76/300; A/79/270; A/HRC/58/59.

[26] See: A/HRC/RES/54/18; OHCHR, The Right to Development and its Synergy with the Right to a Healthy Environment (2024).

[27] ILO, Guidelines for a just transition towards environmentally sustainable economies and societies for all (2015); ILC.111/Resolution V (2023).

[28] See: submission of ILO.

[29] See: A/HRC/55/37, paras. 15-20; A/HRC/57/30, paras. 37-39.

[30] See: A/HRC/58/40.

25. The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) protects, inter alia, rights to land, territories, and resources, affirming the right to self-determination and to Free, Prior, and Informed Consent (FPIC).

26. The United Nations Guiding Principles on Business and Human Rights (UNGPs) provide a blueprint for tackling human rights risks in transition-related activities, comprising the State duty to protect rights against abuses by businesses, to ensure corporate responsibility to respect rights, and to provide access to remedy. The 2023 ILO ILC resolution on a just transition calls for fostering value chains and supply chains that contribute to a just transition and implement the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy and the UNGPs.[31] All businesses have a responsibility to align their practices, processes, activities, and structures with just transition requirements and ensure respect for human rights throughout their value chains.

[31] Submission of ILO.