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THE HIGH COMMISSIONER
FOR HUMAN RIGHTS

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Excellency,

The 30th Conference of the Parties to the United Nations Framework Convention on Climate Change (COP 30) is the first to take place since the landmark advisory opinion of the International Court of Justice (ICJ) on obligations of States in respect of climate change. The ICJ found that failure to take appropriate action to protect the climate system from greenhouse gas emissions, including those related to the fossil fuel sector, may constitute an internationally wrongful act and highlighted the obligations of States to regulate businesses and prevent climate change.

In line with this decision, COP30 offers States a critical opportunity to get back on track to meet their obligations. I urge you to reflect the urgency of this moment and to protect our collective future through the following steps.

1. Ambitious national determined contributions

The majority of States have not submitted revised nationally determined contributions (NDCs) this year, despite their importance as emphasized by the ICJ. I urge every government to submit a NDC that aligns its climate commitments with its human rights obligations, with an ambition of achieving a collective global target of limiting global heating to 1.5 degree Celsius or less.

2. A just transition

A just and equitable transition away from fossil fuels for people everywhere, grounded in human rights, is central. While renewable energy is essential, the rush to expand it, including the extraction, processing and trade of critical energy transition minerals, must be subject to human rights guardrails so the transition does not repeat the mistakes of the past. Comprehensive just transition plans informed by robust social dialogue and public participation are needed, focusing on generating decent work, combating inequalities, reducing poverty, upholding the human rights of workers and affected communities, and providing universal social security. COP30 could adopt a just transition work programme that supports these efforts.

3. Supporting those disproportionately affected by climate change or working to address it

In its advisory opinion, the ICJ emphasized that complete and lasting solutions to the climate crisis require "the contribution of all fields of human knowledge, whether law, science, economics or any others" and "human will and wisdom — at the individual, social and political levels." The COP30 Presidency has emphasized that we need a whole of society movement to tackle climate change and established a global

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ethical stocktake and a climate *mutirão*, among other measures. In line with this, at COP30, States have the opportunity to adopt a strong Gender Action Plan; commit to more effective protection of environmental human rights defenders; adopt an equitable, inclusive and effective monitoring framework for adaptation; enhance modalities for participation of diverse rights-holders in climate change negotiations; and take further measures to advance the rights of those disproportionately affected by climate change. I urge them to do so. Upholding the rights to participation, access to information, access to justice, freedom of assembly and expression, among others, will lead to more effective and sustainable outcomes at COP30 and beyond.

4. Resource mobilization

Climate finance needs be governed by effective human rights safeguards and be additional to existing commitments. The ICJ advisory opinion requires that States work together to stop climate change, and it is important that financial commitments be reviewed in this context to satisfy actual global needs for climate action, including with respect to mitigation, adaptation and loss and damage. Finance needs to be accessible to the people and countries that need it most. More climate finance needs to be be public, grant-based and concessional. It is critical that all climate finance take into account human rights, including gender equality and the rights of people in vulnerable situations, and be sourced in accordance with the principles of equity, common but differentiated responsibilities and respective capacities, and polluter pays. The Baku to Belem roadmap to 1.3 trillion and subsequent climate finance discussions are essential opportunities to uphold human rights.

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Working together and guided by human rights we can achieve a just transition to sustainable economies and societies for everyone, everywhere. I wish you successful negotiations at COP30.

Please accept, Excellency, the assurances of my highest consideration.

Volker Türk