



# RESISTING CLIMATE INJUSTICE

Elevate the Fight for People and Planet



## **Resisting Climate Injustice: Elevate the Fight for People and Planet**

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# Preface

In December 2023, governments of 195 countries flocked to Dubai, United Arab Emirates (UAE), to attend the 28th Conference of Parties (COP28) to the United Nations Framework Convention on Climate Change (UNFCCC). Amid rising temperatures and intensifying climate impacts, as well as a humanitarian crisis in Palestine, the conference was at the centre of a growing momentum among movements worldwide that are actively campaigning to put an end to the fossil fuel lifeline and deliver reparations to affected communities.

Civil society knew full well that advancing their demands forward would be an uphill battle at COP28. The UAE is a major oil player and is notorious for clamping down on peoples' rights to assembly and free speech. Moreover, the selection of a big oil executive as COP28 President made it clear that the conference would be another exercise in corporate greenwashing. Despite these challenging conditions, civil society and people's movements around the world were unfazed in mobilising both within and outside the official UN spaces. At COP28, the persistent struggle

of civil society and people's movements has led to the adoption of the Loss and Damage Fund (LDF) and the first mention of "fossil fuels" in a UNFCCC document. Outside Dubai, IBON International, together with partners and allies, organised parallel gatherings in communities and major cities to demand real solutions to the climate crisis.

However, there are many fights ahead. After all, COP28 did not lead to concrete measures to phase out fossil fuels, and developed countries are still skirting their obligations to provide climate finance. Peoples are then left with no other recourse but to sustain the momentum and push harder. With COP29 being positioned as a 'Finance COP', it will be another critical moment for civil society and peoples' movements to demand developed countries contribute finance that measures up to the actual needs of communities and guarantees their long-term recovery from the impacts of climate change. Now more than ever, international solidarity is needed to carve alternative platforms and reclaim spaces for peoples meaningful participation in climate policymaking.



# Elevate the Fight for Climate Justice: Reclaim Transformation for People and the Planet!

## IBON International Opening Statement for COP28

November 30, 2023

The 28th Conference of the Parties (COP28) to the UN Framework Convention on Climate Change (UNFCCC) in Dubai, UAE is taking place against the background of a world on the edge of irreversible planetary catastrophe. Millions of poor people who have done the least damage to the environment and climate contend with worsening weather extremes and slow-onset disasters: super typhoons, droughts, rising sea levels, and floods. The climate crisis threatens their human rights, right to sustainable development, and their very existence. Their condition is worsened by the overlapping economic, social, and political crises that only reinforce long-standing inequalities, poverty, and marginalisation.

Yet world leaders' ambitions remain grossly inadequate. Several climate talks have passed and governments have done very little to equitably phase-out fossil fuels and hold the big polluters accountable. Last year's annual climate summit ended with generic provisions on the need to boost 'low-emission energy' but left a gaping hole for the continued use of oil and gas. Meanwhile, multilateral develop-

ment banks continue to pump funds towards natural gas, rebranding it as a 'transitional' energy source.

Rather than work towards cutting greenhouse gas emissions, climate talks are hounded by the deceptive rhetoric of offsetting emissions through techno-fixes, market-based, and nature-based 'solutions'. Anchored on continuous exploitation and pollution, these will inexorably lead to further resource depletion, ecological breakdown, social inequality, and crises. More importantly, they seek to lull people into complacency while the root causes of the problem remain untouched.

While global North countries are projecting a gradual transition from fossil fuel dependence, this only means shifting their profit motive away from discredited dirty energy to 'green' energy. The same countries in the global North that amassed wealth from the burning of fossil fuels look to their neocolonies in the global South to extract and profit from critical minerals needed for renewable infrastructure. This drives massive land grabbing, displacing Indigenous Peoples, local communities, and forest dwellers in the process.

Rather than serve the purpose of system change, the “transition” agenda is being hijacked by corporations and Northern elites to continue with the same energy-intensive production and consumption patterns and political, economic, and social structures that generate inequality. Instead of leading to equitable access to energy and democratic control over energy sources and systems, the transition risks perpetuating the same property relations that enable corporations and elites to concentrate wealth and resources in their hands.

Exacerbating the imbalance, Northern governments consistently fall short of contributing their fair share of finance, evading responsibility for their climate debt whenever possible. Even the minimum \$100 billion annual climate finance goal since 2009 has yet to be fulfilled. Northern governments also remain unwilling to commit to higher finance targets, expressing preference for leveraging private finance as for-profit loans through multilateral development banks—another manoeuvre to turn the obligatory relationship around and bury already vulnerable countries deeper in debt.

The global North’s ceaseless pollution and deliberate abandonment of international commitments are leading to more loss of life, livelihood, culture, territory, and resources from intensifying tropical cyclones, floods, droughts, wildfires, heat waves, and sea level rise, among others.

The United States and its allies derailed the negotiations of the Transitional Committee tasked to come up with recommendations for the operationalisation of a Loss and Damage Fund (LDF). The exclusion of principles of equity and common but differentiated responsibilities and respective capacities (CBDR-RC) and the appointment of the World Bank as interim host of the LDF are mere tactics to, yet again, skirt historical obligations.

The doors still swing wide open for corporations and big polluters to hijack negotiations and dictate terms that align with their economic and political interests. Meanwhile, civil society and frontline communities contend with tight restrictions on their participation and violations of their rights, such as the right to access information, and to organise and mobilise. Moreover, they face worsening incidence of harassment, imprisonment, and even death at the hands of state forces and big foreign corporations that seek to colonise their lands, rivers, mountains, forests, and other natural resources.

Finally, we cannot ignore that the COP28 is happening amid the genocide and ethnic cleansing of Palestine by Israel. Since October 7, nearly 1.5 million people have been displaced across the Gaza Strip. More than fourteen thousand Palestinians, half of whom were children, have been killed by the indiscriminate bombing of civilian neighbourhoods, hospitals, schools, mosques, churches, and refugee camps.

The disregard of international laws and greenwashing of international crimes, along with the unjust multilateral governance system dominated by powerful governments and corporations, and the climate apartheid—where the occupied are dispossessed of their resources while bearing a disproportionate impact from the ecological damage caused by the occupiers—reveal that the occupation of Palestine and the climate crisis are driven by neocolonialism. As movements fighting for radical change, we are determined to bring to COP28 the demands of the Palestinians and make explicit the connection between our struggle for climate justice and justice for Palestine.

There is only one solution: people power. Addressing the climate and social crises entails bringing power back to the most harmed peoples, those in the global South. Sustained mobilisation of peoples across wide sectors is key to not only achieving just outcomes in the climate negotiation process but, more fundamentally, to establishing a society based not on the pursuit of profit but on the wellbeing of the people and planet.

To this end, IBON International joins civil society and climate justice movements in challenging world leaders to heed the demands of the peoples. We remain vigilant over the agenda to be negotiated at COP28 and will reject any attempts by corporations to reinforce their power over the climate agenda. If COP28 is the “Action COP” that it claims to be, it must lead to

the attainment of these long-standing demands:

- **Developed countries must recognise and honour their greater historical responsibility in the climate crisis.** Such recognition should translate to more ambitious action to phase out fossil fuels and increase nationally determined contributions and global targets to limit warming to 1.5 degrees Celsius, in line with science, principles of equity, and CBDR-RC.
- **We reject false climate ‘solutions’ such as carbon offsets, geo-engineering, carbon capture, and nature-based solutions that only provide a lifeline to the fossil fuel industry.** We oppose mechanisms that trade in carbon credits obtained from dubious projects that violate the rights of communities, especially women and Indigenous Peoples.
- **We call for a people-led energy transition where the people are allowed to exercise democratic control over the overhauling of existing energy systems based on their contexts, priorities, and development needs.** This means moving away from the corporate-driven and colonial framework of development that is based on unchecked economic growth and technological hyperfixation. Further, democratising energy systems will give countries and communities more leverage to rationally manage energy

production and distribution, giving thorough consideration to the use and allocation of resources and overall environmental impact, with a view to ensuring long-term economic sustainability.

- **We demand that developed countries pay for their climate debt to developing countries by providing new, adequate, predictable, and additional finance for climate adaptation, mitigation, and reparations for climate-induced losses and damages.** Likewise, funding mechanisms and facilities must channel finance in the form of grants as compensatory funding, not as loans or for-profit investments that drive developing countries further into vulnerability. Thus, we reject the possibility of placing the World Bank as host of the LDF because of its legacy of maintaining cycles of dependency and debt in the global South, not to mention its track record of funding dirty energy projects.
- **We urge the institutionalisation of measures that will limit corporations' access to and influence on climate policymaking and governance.** We reiterate the need to redefine deci-

sion-making processes to ensure that the voices of local communities, including Indigenous Peoples, farmers, urban poor, fisherfolk, rural women, children, and other marginalised groups in society, are not only heard but are central to shaping climate policies.

- **World leaders must support grassroots communities worldwide as they unite and mobilise to enhance their resilience, curb emissions, and promote equitable and democratic access to productive resources and the care of the commons.** People-powered climate actions such as collective land cultivation and use, agro-ecological farming, and community-led relief and rehabilitation drives are being organised across the global South. These alternative practices prove the vitality of collective action from the ground in the struggle for climate justice.

**We will not rest until these demands are met. Inside and outside of these negotiation spaces, we will continue to mobilise in bigger numbers to fight for a just and sustainable future for all.**



# Developed countries' duplicity in the first week of COP28

## IBON International COP28 Update #1

December 9, 2023

Dubai, UAE, December 10 – The first week of the 28th Conference of the Parties (COP28) to the UN Framework Convention on Climate Change saw mixed outcomes, including the adoption of the funding mechanisms to respond to climate impacts, but with major setbacks in other key areas due to developed countries backtracking on their historic responsibilities and renegotiating Convention principles.

The conference is unfolding against the backdrop of allegations surfacing against the United Arab Emirates for leveraging COP28 as a platform to secure more oil deals. Moreover, the resumption of the genocidal attacks by Israel on Palestine and stringent restrictions on civil society organising and mobilising have created a tense atmosphere at COP28.

### **Lost and damaged: The case of the LDF**

Picking up from the historic establishment of the Loss and Damage Fund—a mechanism that promises to provide funds to countries affected by climate extremes—at COP27 in Sharm El Sheikh, Egypt, a transitional committee (TC) for the operationalization of the LDF was set up. At COP28, the TC was expected to come up with rec-

ommendations on its governing board and secretariat, sources, scale, eligibility, and access.

Developing countries were skeptical about the final text from the last TC meetings. The main issues included the removal of principles of equity and common but differentiated responsibilities, and the emphasis on voluntary contributions. But the possibility of placing the LDF in the hands of the World Bank, which is dominated by the United States and notorious financier of the fossil fuel industry, especially drew flak.

At the opening plenary, Parties entered into an agreement to establish the Loss and Damage Fund. However, the President presented a draft text that aligned with the controversial TC text. Aside from the initial issues raised, civil society organisations are also wary of the amount being pledged to the LDF.

The United States, the biggest emitter of greenhouse gases, committed USD 17.5 million to the LDF. This amount is only a mere 0.0035% of the USD 500 billion estimated annual cost of climate impacts in developing countries by 2030. Other developed countries were also unwilling to

commit higher figures—all the countries in the European Union only pooled in EUR 225 million, while Japan committed a meagre USD 10 million.

Civil society groups are currently pushing for substantial increases in Northern countries' contributions to ensure the Fund's viability before the end of COP28, as well as resolutions to the various concerns on the LDF.

### **Adaptation still in the dark**

The Adaptation Fund also remains neglected as developed countries refuse to provide financial support to their developing counterparts, limiting frontline communities' ability to adapt to the worsening impacts of climate change.

Developing countries are sounding the alarm over the wide gap between mitigation and adaptation finance, referring to the United Nations Environment Programme's Adaptation Gap Report 2023, which estimates an annual adaptation finance gap of US\$194 billion to US\$366 billion.

Developing countries suggested doubling the finance target. They also questioned the reliance on the private sector for adaptation finance, as even the European Union acknowledged the multilateral development banks' failure to mobilise expected private funds. The G77 and China also expressed the need to focus on

the quality of finance and issues related to access.

Proposals from developed countries drew opposition from developing countries. Meanwhile, the United States argued against determining a baseline. Without a target for adaptation, the US basically wants to ignore historical obligations, similar to the LDF, with funds to be pooled voluntarily.

Developing countries are demanding that developed countries not only acknowledge but also rectify the severe financial disparity, urging a commitment to double the adaptation finance target and emphasise the role of public finance over reliance on the private sector.

### **Where is the money?**

As it is, developed countries are not willing to shell out money for anything. They failed to meet the yearly USD 100 billion dollar goal until 2020, and are unwilling to commit to a new goal being set for 2025 and beyond. This was revealed when countries went head to head regarding the source, timeframe, quality, and quantity of the New Collective Quantified Goal (NCQG).

Developed countries put emphasis on leveraging private finance for the new goal, but faced pushback from developing countries that expressed preference for public finance. They also wanted a longer timeframe, but again, was met with







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resistance from developing countries that asserted a shorter timeframe of five years with a review mechanism to see how countries fulfil their pledges.

In terms of amount, or quantity of finance for the NCQG, developed countries did not want to set a definite figure. Simply put, they are pushing back against the pressure to pitch in money for the new goal. On the other hand, small island states call for the new figure to be based on the needs and priorities of developing countries, especially communities on the frontlines of climate change.

### **Dangerous distractions yet again**

While finance figures are plummeting, another concerning trend is emerging. This particular COP saw a record number of fossil fuel lobbyists. The Kick Big Polluters Out coalition reported that there are more than 2400 lobbyists from the oil and gas corporations in Dubai. This raises serious concern, especially at a time when pressure is building for COP28 to deliver on the much-needed demand to phase out fossil fuels.

Parties, especially from developed countries, are leaning towards putting mere restrictions on “unabated” coal, oil, and gas. But they do not clearly define its meaning. Civil society groups are wary that vague definitions keep the door open for continued large-scale fossil fuel use.

There is also a strong push from developed countries to use techno-fixes that will capture carbon from the air. But the idea that countries can meet their climate goals while still using a lot of fossil fuels with carbon capture and storage (CCS), is misleading. Climate experts warn that poorly performing fossil fuel CCS projects can easily be labelled as successful, letting emissions from fossil fuel production go unaddressed.

COP28 is also seeing the revival of carbon markets—the trading of credits that corporations and countries can use as licence to pollute. As the US’ climate envoy puts it, credit purchases linked to cuts in the carbon emitted by burning fossil fuels and deforestation could create “the largest marketplace the world will have ever known.” They envision raking in more profits instead of really cutting down on their emissions.

As articulated by movements present in Dubai, to truly achieve the targets set in the Paris Agreement, countries need to greatly reduce reliance on fossil fuels rapidly, without depending on CCS and market-based mechanisms.

### **Head to head on Just Transition timeframe**

Pushing for a transition from fossil fuels has been contentious in negotiations, with developed and developing countries still displaying stark differences in their visions. In discussions regarding the work pro-

gramme on the Just Transition pathways, developing countries rejected setting a specific deadline without support for their transition pathways.

Developed countries also proposed shorter durations, while developing countries are pushing for a long-term work programme.

Further, the draft text from negotiations lacks reference to equity and common but differentiated responsibilities (CBDR), crucial principles in negotiations. G77 and China assert that the current text does not reflect their views and promised to submit inputs for the next iteration. To no surprise, developed countries welcomed the draft, deeming it a solid basis for future work.

To this end, civil society groups are urging Parties to incorporate a clear commitment to Convention principles and a timeline that considers the unique challenges, priorities, and contexts of developing countries.

### **Towards the bitter end**

With most matters still on the table for Parties to decide on, civil society organising and campaigning will be crucial to ensuring Parties agree on more ambitious outcomes from COP28. However, activists and civil society groups find themselves constrained by stringent regulations. Many have reported threats of debadgement,

cases of censorship, and closing spaces initially allocated for actions.

Not far from the UAE, a similar yet more horrendous attack on civil society is taking place. The resumption of Israel's bombings on Palestine raises the mistrust of developing countries around international cooperation and multilateral climate action given Israel's blatant disregard for international humanitarian law. Delegates are expressing frustration over the lack of attention given to human rights violations amid the climate talks.

COP28 is expected to conclude on December 12. Considering the context of the conference and the state of play in negotiations, there is growing uncertainty on whether meaningful agreements will be reached by then. Amid the limitations of the official talks, movements vow to campaign in bigger numbers in the coming days, to amplify voices of frontline communities, and to draw attention to their demands for climate justice.



# The Dubai Climate Talks: A Milestone or Mirage?

A postmortem article on the outcomes of the 28th Conference of Parties in Dubai, UAE

By Ivan Enrile and Jax Bongon

The 28th Conference of Parties (COP28) of the United Nations Framework Convention on Climate Change (UNFCCC) took place in Dubai, United Arab Emirates, spanning from November 30 to December 12, 2023. Expectations from COP28 were high considering that earlier in the year, the Intergovernmental Panel on Climate Change issued its sixth Annual Report, which recommended the transition away from fossil fuels in order to limit global warming.

On December 13, the Presidency released the final outcome document, referred to as “The Dubai Consensus.” It received praise for mentioning fossil fuels—a historic first—but a cursory glance at the fine print would reveal that it was merely a symbolic gesture that lacks any concrete commitments or binding authority for implementing a phaseout.

## I. The Global Stocktake and Fossil Fuel Phaseout

At the core of the COP28 negotiations was the conclusion of the first ever Global Stocktake (GST) of the Paris Climate Agreement. The GST aimed at appraising how far the world has come in tackling climate change and how far it still has to go.

This process made COP28 the most critical since COP21 in 2015, since the global stocktake would set the direction on climate action over time to avoid dangerous warming.

In the last two years, governments and civil society participated in technical dialogues, workshops, and calls for proposals for how the main political outcome of the stocktake could accelerate climate action. Proposals included phasing out fossil fuels, tripling renewable energy capacity, and raising climate finance to the trillions that developing countries need.

There was much optimism about the Dubai climate talks being the first COP to finally call for a fossil fuel phaseout. Earlier drafts of the GST included a fossil fuel phaseout but in the end the COP settled for a language calling on countries to “transition away from fossil fuels in energy systems.”

Some celebrated the COP decision as a significant milestone for explicitly calling out fossil fuels for the first time in nearly 30 years. However, developing country Parties and civil society expressed dismay over the outcome's falling short of a full phaseout language. Instead of identifying

developed countries as the ones to take the lead in reducing emissions in line with 1.5 degrees Celsius pathways, paragraph 28 of the GST decision called on all Parties to contribute to global efforts according to “different national circumstances”. Developing countries said that the paragraph left room for interpretation, and cautioned against it being used to attach conditionalities to climate finance provisions or impose unilateral trade measures.

They also pointed out loopholes for “transitional fuels” (i.e., fossil gas) and dangerous distractions, such as carbon capture utilisation and storage technologies, that could potentially delay progress and undermine real climate solutions.

The GST decision called on countries to contribute to the global tripling of renewable energy and doubling of the rate of energy efficiency by 2030. However, it came with very little in the way of a firm agreement that developed countries would significantly scale up international public support for a just energy transition, including new and additional public grant-based finance. Strong statements by developing countries pointed out the huge funds mobilised for wars and militarism against the inadequate funds for addressing climate change.

The GST included other action items beyond mitigation (such as Loss and Damage, adaptation, means of implementation, and international cooperation) and they are covered in relevant sections of this update.

## II. Loss and Damage

It came as a surprise for civil society when Parties adopted the standing text from the Transitional Committee on the operationalisation of the Loss and Damage Fund (LDF) at the opening plenary. Although some consider it to be an early win, many were wary of the fact that the final text was not far off from the controversial TC text.

The final text regarding the LDF merely invites developed countries to contribute voluntarily. This essentially grants developed countries the freedom to either provide funds not commensurate with historical obligations or to abstain from making any commitments altogether. This is exactly what happened at COP28. By the end of the conference, developed countries had only pooled USD 770.6 million—only 0.15% of the USD 500 billion that climate impacts are projected to cost developing countries every year by 2030.

The other contentious provision in the final text was on housing the LDF in the World Bank for an interim period of four years. The Bank is notorious for funding fossil fuels and linking its financing to high administrative costs and interest rates, and policy prescriptions. Hence, developing countries drew up conditions for the Bank to meet; otherwise, the Fund will not be housed under it. The conditions imply that an LDF Board would set policies concerning governance, eligibility, and access to the Fund. This means the World Bank would have no hand in designing the LDF or in selecting the Fund’s Executive Director.

Within the first six months following COP28, the World Bank must express agreement with the conditions. By the end of the eighth month after COP28, it must submit an internally approved proposal on the hosting arrangements. The LDF Board will review the proposal and determine if it is in a position to proceed. If the Board deems it not fit to host the Fund, a selection process for a host country will ensue to establish a standalone fund based on guidance to be agreed upon at COP29.

Apart from the LDF, COP28 also saw negotiations on the location of the Santiago Network for Loss and Damage (SNLD), a mechanism to provide developing countries with the technical capacity to respond to loss and damage. The G77+China managed to reach a consensus over whether the Caribbean Development Bank (CDB) or a consortium of the UN Office for Disaster Risk Reduction (UNDRR) and the UN Office for Project Services (UNOPS) should host the network. In the end, Parties went with the consortium.

### III. Global Goal on Adaptation

Adaptation has long been a priority for developing countries. At COP26 in Glasgow, the African Group pushed for the establishment of a two-year work programme to elaborate a global goal on adaptation (GGA).

In Dubai, developing countries demanded specific and measurable targets on adaptation while developed countries wanted to limit the discussions to procedural commitments. In the end, the COP agreed on a

framework to guide nations' efforts to adapt to climate change in areas like health, protecting nature, and food and water security. This marked a significant win for developing countries in making adaptation in the UN climate talks stand on a par with mitigation.

According to the UN, the adaptation finance needs of developing countries currently stand at USD 194 to 355 billion a year. Unlike mitigation, adaptation projects do not readily bring in revenues to attract private investments. Public, grants-based climate finance will thus play an important role in bridging the huge adaptation funding gap and help developing countries achieve their adaptation goals.

Developing countries wanted to make adaptation finance a central part of the GGA, including a specific target on how it would be delivered, to compel developed countries to pay out money and hold them accountable. Developed countries, on the other hand, objected to any discussion of finance in the GGA, arguing that the GGA should not prejudge would-be outcomes of the post-2025 climate finance negotiations that will happen in 2024. Developing countries likewise wanted to acknowledge the common but differentiated responsibilities and respective capabilities (CBDR-RC) in the GGA, insisting that equity is at the heart of the Paris Agreement. This, too, was opposed by developed countries.

Ultimately, the final text emerged with weak language on finance and CBDR-RC. While earlier drafts said governments would commit to closing the adaptation

finance gap, the final text only “seeks” to close the gap. Rather than an explicit reference to CBDR-RC, the text only vaguely mentioned “the provisions and principles” of the Convention and the Paris Agreement. Specific measurable targets in the earlier drafts were replaced in the final text with vague language around “attaining resilience” or “reducing impacts.”

#### **IV. Mitigation Work Programme**

Civil society feared that negotiations for the Mitigation Work Programme (MWP) at COP28 would resurface the heated debates that happened during the previous Bonn intersessional last June 2023. In Bonn, developing countries insisted that financial support be included in discussions as they would have to contend with the economic impacts of cutting down emissions. Developed countries were in staunch opposition to this. In the end, the matter was completely removed from the agenda.

While negotiations on the MWP finally happened at COP28, the talks did not lead to anything substantial for the work programme. Discussions were stalled for days and decisions were not regularly released.

On December 9, a few days before COP28 ended, a draft text that was released contained a lot of language yet to be agreed on. The main disagreement revolved around the MWP's mandate. Parties were hesitant to include a position on fossil fuels amid parallel discussions in GST negotiations, and they were unsure that it was within the mandate of the MWP.

The next draft was released four days later. Rather than raising ambitions, the draft text contained provisions that were more procedural. References to IPCC recommendations to strive towards limiting the temperature increase to 1.5 °C were all removed. The final draft also emphasised the need for “collective” efforts to reduce emissions instead of doing it based on CBDR-RC principles. Similar to what happened in Bonn, Parties were still not in consensus on who would shoulder the burden of mitigation, with developed countries dodging any notion of them shelling out money to support developing countries.

#### **V. Just Transition Work Programme**

The first high-level roundtable discussion on the Just Transition Work Programme (JTWP) happened in Dubai. Parties were expected to adopt the fine print of the JTWP that would set the stage for its work over the next five years.

Similar to what happened in Bonn, developed countries had a narrower vision for a “Just Transition” as a mere labour transition, contrary to a comprehensive approach that does not only consider mitigation. Developing countries emphasised the need for support which extends beyond the financial, to include resolving concerns on patent and licence restrictions and regressive tax and trade measures.

Given the LDF's early adoption, the G77+China shifted much of their attention towards the work programme. But one contentious point for them included a linguistic shift from “Just Transition Path-

ways” to “pathways to just transition” that developed countries introduced during consultations with the COP Presidency. This caused frustration among Parties, especially developing countries that wanted to retain the original language.

The G77+China also held a consultation with the Presidency to present a bridging proposal on the scope and preamble of the work programme. One key element pointed out that measures to combat climate change, including unilateral ones, “should not lead to arbitrary discrimination or unjustifiable restrictions on international trade.” This, however, did not make it to the succeeding draft text, as seconded by the US, which said they are no longer in a position to discuss options.

A final text was presented on December 13 that retained the title “Just Transition Pathways;” it also included references to human rights in the preamble and some from the G77+China’s bridging proposal. However, some elements remained contentious, including the removal of the provision that emphasised “country-driven, gender-responsive, inclusive and participatory, socially just approaches to pathways to just transition, taking into consideration human rights, labour rights, rights of Indigenous Peoples, vulnerable groups, children and youth, local communities and ecosystems.”

## **VI. Article 6 of the Paris Agreement on carbon credits and trading**

The negotiation on Article 6.2 and 6.4 of the Paris Agreement collapsed as countries failed to reach a consensus on key

rules to trade carbon offsets and kickstart a UN-sanctioned global carbon market. Article 6.2 permits countries to voluntarily use their internationally traded mitigation outcomes (ITMOs) to meet their nationally determined contributions (NDCs) while Article 6.4 is generally regarded as the mechanism for the international carbon offset market. Civil society hailed the collapse of the Article 6 negotiations, saying that weak rules on carbon markets would have tremendous negative impacts on Indigenous Peoples and human rights.

The working document on Article 6.2 proved to be highly contentious due to divergent views among Parties including on the possibility of cancelling sold carbon credits. Policy think-tank Down To Earth revealed that the United Kingdom objected to revoking credits already transferred to other countries as it could undermine market confidence, while Argentina, Uruguay, and Brazil supported the withdrawal of authorisation in the case of human rights violations.

On Article 6.4, the United States pushed a “light touch, no frills” approach to carbon trading and carbon markets regulation that would hand a prominent role to the private sector. On the other hand, developing countries from Latin America and Africa demanded more robust accountability and transparency measures to avoid the risk of junk credits and the human rights impacts of carbon offset projects such as displacement of Indigenous Peoples, repression and violence against communities and their leaders, among others.

With the failure to reach an agreement on Article 6.2 and 6.4, negotiators will again seek to close a deal at COP29 in 2024.

Parties that object to carbon market schemes in light of their associated negative impacts have long pushed for Article 6.8 on cooperation on non-market approaches, but the negotiations on this agenda item have largely stagnated over the years. At COP28, some developing countries threatened to impose a moratorium on market mechanisms if significant progress was not made on non-market approaches. They also rejected the inclusion of carbon taxes and levies as non-market approaches.

In the end, Parties reached an agreement to continue the work on identifying non-market approaches.

## **VII. On civic spaces**

Prior to joining COP28, members of civil society had to reconcile with the high costs of official participation, especially for CSOs, media, scientists, and activists from the global South. Expensive airfare and lodging in Dubai have seriously limited the capacity of frontline communities to access COP spaces to discuss the climate crisis affecting their communities.

Aside from pre-departure limitations, Dubai's hosting of the COP raised apprehensions among climate justice movements since the UAE government has a dismal human rights record. Actions by accredited civil society members at COP28 were confined to the blue zones within the official UN campus, strictly gov-

erned by stringent rules imposed by the UNFCCC and subject to a bureaucratic procedure that spanned several days. Moreover, many have reported threats of debadgement, cases of censorship, and closing spaces initially allocated for actions.

Meanwhile, corporate lobbyists were free to flock to the talks to derail any meaningful attempt to move the climate agenda forward. It was reported that at least 2,456 lobbyists from oil and gas industries were at COP28.

Despite these conditions, hundreds of activists consistently mounted actions for two weeks. The largest action inside the UN venue happened on December 9 for the 'Global Day of Action for Climate Justice.' The action brought together civil society in a protest to demand an end to the ceaseless attacks by Israel on Palestine, emphasising that there can be no climate justice on occupied land.

## **VIII. The road to COP29**

At COP28, it was decided that the next COP will be held in Baku, Azerbaijan. This was following Russia's opposition to bids from Bulgaria, Slovenia, and Moldova.

As the fight for a fast, fair, and funded fossil fuel phaseout intensifies, there is also a need to further scale the struggle against corporate capture and control of the climate talks. The COP29 host Azerbaijan has recently appointed as COP president its environment minister, Mukhtar Babayev, who has worked with Azerbaijan's state-owned gas and oil company

Socar. An all-male organising committee was put up to draft an action plan for the summit. About two-thirds of Azerbaijan's income comes from the oil and gas sector with European states as the country's biggest customers. Azerbaijan also continues to impede non-government organisations and media from operating independently. These developments spark concern among climate justice advocates of COP29 being a repeat of the Dubai climate talks that was overrun with a record number of gas and oil lobbyists - a fact reflected in the final outcome documented that fell short in including clear commitments to end fossil fuels.

COP29 is expected to largely be a finance COP, with the adoption of a new collective quantified goal on climate finance (NCQG) that will replace the USD 100 billion per year by 2020 (extended through 2025 at COP21 in 2015) collectively agreed upon at COP15 in 2009. The NCQG negotiation this year is a critical moment for civil society and peoples' movements to highlight the lessons learned from the unachieved USD 100 billion goal to avoid repeating past shortcomings.

One of the main demands of the global South for a just and equitable climate finance is the need for a collective goal that measures up to the actual needs of frontline communities to enhance their resilience, transition to renewable energy sources, and address climate-induced loss and damage – not arbitrary targets. The UNFCCC's recent data reveals that developing countries require at least USD 6 trillion by 2030 to meet less than half of their NDCs. There is in fact enough resources to

meet this ambitious goal when one considers that in 2023 alone, the 31 member states of the North Atlantic Treaty Organisation or NATO spent a whopping USD 1.6 trillion on military spending.

The post-2025 climate finance architecture should be driven by adequate and predictable grants-based climate finance that can be monitored based on an agreed methodology that prevents double-counting and significant overestimation of the past. It is also high time for a rethinking on how climate finance is disbursed, managed, and monitored to ensure direct grassroots and community access.

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