

Center for International Environmental Law (CIEL) submission on the COP 30 Presidency Roadmap on the Transition Away from Fossil Fuels in a Just, Orderly and Equitable Manner

(a) What are the most critical barriers — whether physical, economic, financial, institutional, technological or social — preventing a transition away from fossil fuels?

(i) Lack of dedicated mechanism or forum for international coordination on the phaseout of fossil fuels in line with international legal obligations. Despite longstanding scientific and growing legal consensus on the need to phase out fossil fuels, no international instrument regulates oil, gas, and coal production or governs global cooperation on the implementation of a transition away from fossil fuels. Multiple sources of international law, including both customary and treaty law, require the phaseout of fossil fuels, but States lack a coherent or comprehensive framework to coordinate international action or enable a just transition. Although fossil fuel phaseout is essential to the achievement of the objectives of the UNFCCC and Paris Agreement, neither instrument expressly requires or provides a forum for implementing a rapid, equitable, and steep global reduction in the production and use of fossil fuels, and, to date, countries have been able to prevent significant progress on fossil fuel phaseout. The Paris Agreement contains no explicit provisions governing fossil fuel supply, and further progress through the UNFCCC regime has been blocked under its consensus-based decision-making structure.

In providing credible, differentiated transition pathways, the COP30 Presidency Roadmap may help guide countries to develop and implement their own approaches at the national level in line with international law. The subsequent translation and adoption of national ‘roadmaps’ may be useful to ensure domestic policies on fossil fuels track international obligations and concretely advance the implementation of a transition to a fossil-free future. They can do so by, among other things: halting authorization of, financing, and other forms of support for fossil fuel expansion, and regulating to require absolute reductions in the production and use of fossil fuels across the economy, addressing not only the energy sector but also non-energy uses, in line with the best available science and human rights obligations to ensure equity and justice for the communities most affected by the fossil economy, the climate change it drives, and the transition away from it.

However new the “Roadmap” initiative may be, the idea behind it is not. Countries long have had an opportunity, and indeed an imperative, to incorporate and implement fossil fuel policies within their NDCs or other national legislative and regulatory instruments. Doing so is not only entirely consistent with the object and purpose of the UNFCCC and Paris Agreement, it is compelled by them; properly interpreted, States’ obligations pursuant to those treaties actually require effective domestic measures to cut fossil fuels. The problem is that independent national plans on their own are insufficient to ensure a rapid, equitable, and just global transition away from oil, gas, and coal. Given the magnitude of the challenge and the transformational nature of the change required, States need a mechanism, not a mere reference document or catalyst, to support cooperative, reciprocal, and collective actions to tackle fossil fuels and effectively end their stranglehold on our economies, our environment, and our imaginations.

The UNFCCC regime has not provided such a mechanism to date. The framework is failing to deliver on its objectives to stop dangerous anthropogenic climate change. The way that the UNFCCC has operated — including by requiring consensus for decisions, allowing for unchecked corporate influence, and shrinking civic space — has hindered its ability to achieve the Convention’s own goals, to address the root cause of the climate crisis, and to accelerate the transition away from fossil fuels. The COP30 Presidency Roadmap should acknowledge the flaws in the system and the need to reform the UNFCCC, in particular to allow for voting when consensus cannot be achieved and to combat corporate capture by fossil fuel interests. Additionally, the Roadmap can and should acknowledge the benefit of a Fossil Fuel Treaty.

A new, legally binding instrument explicitly focused on fossil fuels can enable and support the transition away from oil, gas, and coal — as a complement to the UNFCCC and Paris Agreement. Without such an instrument, continued expansion will lock in emissions that undermine hard-won progress on demand-side action and greenhouse gas (GHG) reductions, and allow an unmanaged and inequitable phaseout, which risks imposing the greatest costs on those least responsible and most vulnerable. At present, no international framework ensures transition burdens are shared equitably, or that decommissioning and transitioning to clean alternatives is financed and planned in a way that protects those most impacted.

(ii) Continued expansion of oil, gas, and coal production

While 195 Parties agreed to transition away from fossil fuels at COP28, the expansion, exploration, licensing, and subsidization of coal, oil, and gas production continue to threaten that commitment and lock in future supply. Research shows that the United States, Canada, Australia, and Norway have increased oil and gas production by nearly 40% since the adoption of the Paris Agreement, though production in the rest of the world combined has declined by approximately 2%.¹ According to the Production Gap Report, countries are still planning to produce 120% more fossil fuels than would be consistent with the 1.5°C goal by 2030.² This trajectory is not solely energy- and transport-driven. As the fossil fuel industry looks for ways to sustain growth and prolong reliance on its products amid declining energy and transport demand, it is increasingly turning to petrochemicals. Chemicals derived from oil, gas, and coal, represent a fast-growing source of fossil fuel demand and a major barrier to a swift, just phaseout. Furthermore, public subsidies support continued expansion of fossil fuels, including in energy and petrochemicals, both by masking the industry’s real costs and by supporting risky, ineffective technologies like carbon capture and storage (CCS) or carbon dioxide removal instead of reducing fossil fuel production and use.

(iii) Reliance on and subsidization of speculative and ineffective technologies and other harmful climate interventions

Growing reliance on CCS, geoengineering, and carbon offsets/carbon markets diverts efforts from measures that would address the fossil activities at the root of the harm — as the

¹ Oil Change International, Planet Wreckers: Global North Countries Fueling the Fire Since the Paris Agreement, 2025.

² SEI, Climate Analytics, and IISD. (2025). *The Production Gap Report 2025*. Stockholm Environment Institute, Climate Analytics, and International Institute for Sustainable Development. p. 4, 17. <https://productiongap.org/2025report>.

longstanding customary international law duty to prevent requires — and greenwashes fossil fuel expansion. When CCS technologies are physically attached to fossil fuel-emitting facilities, they literally lock in place the very fossil fuel infrastructure that needs to be phased out and prolong dependence on the products heating the planet and making us sick. Ample evidence shows that CCS has repeatedly overpromised and underdelivered emissions reductions. Yet costly CCS subsidies are rising. Ending them could free billions for proven climate action and transition costs.

Moreover, beyond delaying or diverting action to curb fossil fuel pollution at source, many of these technological interventions, such as direct air capture with carbon capture and storage or solar geoengineering, among others, risk unleashing further adverse impacts on human rights and the environment, some of which could be irreversible. There is no guarantee that they will work in the short or long term. Focusing on developing and deploying such technologies in lieu of fossil fuel phaseout risks exacerbating the climate crisis and its associated risks, while introducing new ones.

Additionally, far from providing real climate finance or a credible solution, the ability of governments and companies to purchase and use carbon offsets merely allows them to pay to continue polluting. Time and again offsets have proven to be junk and when they are relied on to offset ongoing fossil fuel production, the only result is more climate change and more harm to communities and the environment.³

(iv) Debt and other structural economic barriers to transition

The lack of technical support and fair and adequate climate finance (to say nothing of the ability to access it), as well as the debt burden many low- and middle-income countries face, significantly impede their ability to overcome fossil fuel dependence and develop just transition

³ See generally Benedict Probst et al, “Systematic assessment of the achieved emission reductions of carbon crediting projects,” *Nature Communications* 15, 9562 (2024), <https://rdcu.be/fcOP5> (highlighting that 85% of carbon credits are junk); Joseph Romm, Stephen Lezak & Amna Alshamsi, “Are Carbon Offsets Fixable?,” *Annual Review of Environment and Resources* 50 (2025), <https://doi.org/10.1146/annurev-environ-112823-064813> (pointing out that offsets have failed for 25 years); EnergyAustralia, Press Statement, “Go Neutral Litigation – EnergyAustralia acknowledges issues with “offsetting” and moves away from carbon offsets for its residential customer products,” (May 19, 2025), <https://www.energyaustralia.com.au/about-us/media/news/go-neutral-litigation-energyaustralia-acknowledges-issues-offsetting-and-moves>; Andrew Macintosh, et al, “Carbon credits are failing to help with climate change – here’s why,” Comment, *Nature* (Oct. 14, 2025); Nina Lakhani, “Corporations invested in carbon offsets that were ‘likely junk’, analysis says,” *The Guardian* (May 30, 2024), <https://www.theguardian.com/environment/article/2024/may/30/corporate-carbon-offsets-credits>; Heidi Blake, “The Great Cash-for-Carbon Hustle,” *The New Yorker* (Oct. 16, 2023), <https://www.newyorker.com/magazine/2023/10/23/the-great-cash-for-carbon-hustle>; Josh Gabbatis et al, “In-depth Q&A: Can ‘carbon offsets’ help to tackle climate change?,” *Carbon Brief* (Sept. 24, 2023), <https://interactive.carbonbrief.org/carbon-offsets-2023>; Daisy Dunne & Yanine Quiroz, “Mapped: The impacts of carbon-offset projects around the world,” *Carbon Brief* (Nov. 8, 2023), <https://interactive.carbonbrief.org/carbon-offsets-2023/mapped.html>; SOMO, *Offsetting Human Rights: Sexual Abuse and Harassment at the Kasigau Corridor REDD+ Project in Kenya* (Nov. 2023) <https://www.somo.nl/offsetting-human-rights/>; Claire Marshall, “Kenya’s Ogiek People Being Evicted for Carbon Credits – Lawyers,” *BBC News* (Nov. 9, 2023), <https://www.bbc.com/news/world-africa-67352067>; Jutta Kill et al, FERN, *Trading carbon: How it works and why it is controversial* (Aug. 2010).

plans including full fossil fuel phaseout. Many countries therefore cannot even begin to plan for phaseout or a just transition because they have no assurance that they will have the financing and support they need. Climate finance is not charity, but duty. Developed countries have legal obligations to provide developing countries with resources and support for climate action. Climate finance cannot be a pittance or a vehicle for profit; it must be at the scale of needs, non-debt creating, publicly funded, grant-based, and accessible to communities most affected by the climate crisis and exposed to the costs of the transition away from fossil fuels. Moreover, carbon markets are not climate finance. When high-emitting States or corporations pay to claim other countries' or communities' climate action as their own through carbon offsets, it neither fulfills their legal duties to fund mitigation and adaptation nor makes up for their own inaction in curbing their emissions at source. Many low- and middle-income countries have not contributed the most to the climate crisis, yet they are facing enormous burdens to further prevent it, adapt to it, and recover from the damage it has caused. These challenges are only exacerbated by a deeply unequal trade and financial system, and by credit instruments that continue to lock countries into fossil fuel dependence and expose them to growing stranded asset risks.

(v) ISDS as a barrier to policy ambition

Investor-State dispute settlement (ISDS) lets foreign investors sue governments for compensation when State measures to curb fossil fuel production, consumption, licensing, or subsidies allegedly cause investment losses. ISDS provisions are enshrined in thousands of bilateral investment treaties, and some multilateral trade and investment agreements, as well as investor-State contracts. To date, the ISDS system has resulted in over \$80 billion dollars in awards to fossil fuel companies,⁴ creating a significant chilling effect on domestic policy ambition. As States transition away from fossil fuels, such arbitration claims may only increase. With high legal costs and huge awards, ISDS risks making it prohibitively expensive for States to comply with their legal duties to phase out fossil fuels. It effectively functions as subsidized political risk insurance for foreign investors, including fossil fuel companies, skewing transition costs. This is a structural barrier that cannot be resolved through domestic policy action alone — but it is surmountable. States made the ISDS system and they can unmake it through cooperative legal solutions, like agreements to terminate, withdraw from, or otherwise annul and neither extend existing ISDS provisions nor include new ones in future agreements.

(vi) Undue influence of the fossil fuel industry and restrictions on civic space

The undue influence of the fossil fuel industry and other high-emitting sectors on politics and policy at local, national, and international levels has hindered the transition away from fossil fuels. This influence manifests in the UNFCCC through an overwhelming presence of fossil fuel lobbyists, with more than 1600 fossil fuel lobbyists attending COP30,⁵ and documented examples of oil and gas deals being advanced in the context of COPs.⁶ The absence of a

⁴ Di Salvatore, L, Cotula, L, Nanda, A, and C.Y. Wang. 2023. Investor-State Dispute Settlements: A Hidden Handbrake on Climate Action (International Institute for Environment and Development (IIED) 2023), p. 2, <https://www.iied.org/21971iied>.

⁵ Nina Lakhani, Fossil fuel lobbyists outnumber all Cop30 delegations except Brazil, report says, November 14, 2025, <https://www.theguardian.com/environment/2025/nov/14/fossil-fuel-lobbyists-cop30>.

⁶ Nicolas Camut, Politico, November 27, 2023, <https://www.politico.eu/article/uae-cop28-climate-oil-gas-deal-leak-sultan-ahmed-al-jaber/>; Global

comprehensive conflict of interest policy for the UNFCCC has been a significant barrier to advancing the phaseout of fossil fuels. Fossil fuel and other industry influence contributes to: continued high levels of fossil fuel subsidies;⁷ regulatory advantages for fossil fuel producers; spreading of misinformation and disinformation about the causes and impacts of the climate crisis; limiting economic sovereignty when fossil fuel companies sue States directly (via ISDS) over just transition policies including measures to phase out coal, oil, and gas or otherwise protect the environment and public health; and the promotion of technologies such as CCS, carbon dioxide removal, geoengineering, and ‘low carbon’ ammonia/hydrogen, that risk prolonging fossil fuel use rather than advancing a rapid and equitable phaseout.

Protections against corporate capture and conflict of interest are essential to ensure effective international cooperation on fossil fuel phaseout, and to guarantee environmental democracy. Allowing corporations outsized representation in deliberative fora or unfettered access to decision-makers, while restricting access for Indigenous Peoples and civil society, including affected communities, scientific experts, and other knowledge-holders, or cracking down on freedom of expression or assembly, not only infringes human rights, it also undermines the quality of environmental policymaking including on climate change and fossil fuel phaseout.

(b) What potential levers, whether economic, financial, institutional, social or technological, exist for accelerating the implementation of the transitioning away commitment?

The barriers identified above are structural in character. Addressing them requires more than incremental domestic action — it requires a set of coordinated international fora and mechanisms capable of creating the conditions for a just, orderly, and equitable transition and ensuring it happens.

Such mechanisms should support implementation pathways consistent with 1.5°C trajectories —pathways that endeavor to prevent further warming, recognizing that every fraction of a degree matters and brings with it further harms — and enable countries to translate global commitments into practical action, while remaining responsive to national circumstances. Effective transition measures must be participatory, include civil society, uphold human rights, and align with best available science. Moreover, these mechanisms must recognize and include Indigenous Peoples as rights-holders and knowledge-holders with relevant expertise, ensure their full and effective participation in decision-making processes, including respecting their right of free, prior, and informed consent, and incorporate Indigenous knowledge systems as a fundamental component of global transition pathways.

A new international governance framework

Witness, COP29 is for oil deals, November 4, 2024,
<https://globalwitness.org/en/campaigns/fossil-fuels/cop29-is-for-oil-deals/>.

⁷According to the IMF explicit fossil fuel subsidies reached \$725 billion and implicit \$6.7 trillion in 2024, or 6.4% of global GDP. Black, Simon, Weronika Celniak, Ian Parry, Paulina Schulz Antipa, Nate Vernon-Lin, 2025. “Underpriced and Overused: Fossil Fuel Subsidies Data 2025 Update” Working paper, IMF, Washington, DC,
<https://www.imf.org/-/media/files/publications/wp/2025/english/wp25270-source.pdf>.

Separate national-level policies and plans (like NDCs) are an important step, but are not enough. Time and again we have seen countries submit NDCs that are not collectively capable of keeping temperature rise to below 1.5°C, as required by international law. We need dedicated, international cooperative action specifically on fossil fuels, through reciprocal and collective measures capable of complementing domestic policy and ensuring greater global impact. Both national and international actions are required to accelerate the phaseout of fossil fuels and facilitate implementation of existing legal obligations to prevent and mitigate climate harm by curbing production and use of fossil fuels.

We need cooperative, joint action — and a dedicated international pathway and process for countries to come together and act on fossil fuels in unison, reciprocally, and collectively — in ways that actually lower the costs and increase the benefits of the transition, and thereby accelerate implementation of legal duties. That is why a dedicated forum, focused on fossil fuels, developed through a standalone process to negotiate a binding legal instrument on the implementation of existing legal duties to phase out fossil fuels, is critical as a *complement* to any independent national-level pathways or COP30 Presidency Roadmap, and ongoing dialogues within the framework of the UNFCCC and Paris Agreement.

A Fossil Fuel Treaty (FFT) can facilitate States' cooperative implementation of their legal obligations to end oil, gas, and coal expansion, and phase out existing production and use. A FFT complements and supports compliance with the UNFCCC/Paris Agreement. While the UNFCCC and Paris Agreement provide a critical forum for global coordination on climate action, the consensus-based nature of the COP process limits possible outcomes with respect to fossil fuels. Thirty COPs have come and gone and yet COP decisions have referenced fossil fuels less than a handful of times and have never explicitly required their full phaseout, despite the indisputable fact that fossil fuels are the main driver of the climate crisis. This points to the need for something different — a dedicated international legal instrument on fossil fuel phaseout. A FFT can complement the Paris Agreement by addressing climate change at its root source — the production of fossil fuels — rather than through emissions accounting. A FFT would codify and clarify existing obligations, and provide the institutional architecture needed to establish and govern cooperative mechanisms to support their implementation. Such an instrument would fulfil the two-track multilateralism vision of the COP30 Presidency by operating alongside existing frameworks — not in competition with them — and could be designed as a high-ambition coalition open to all willing states, with the normative effect of stigmatising continued fossil fuel expansion even for non-parties.

The proposed Fossil Fuel Treaty — currently supported by 18 nation-states — would meet the international cooperation needs outlined above. A FFT can create the conditions under which States will be able to coordinate the managed full, fast, fair, and funded phase-out of fossil fuel production, end new expansion, and support a global just transition by, among other things:

- Establishing binding commitments to phase out existing production and end new oil, gas, and coal licensing, in line with existing international obligations relating to fossil fuels;
- Creating cooperative mechanisms such as a buyers-sellers club between producing and consuming nations, a debt resolution facility, and scaled-up public finance from developed to developing countries;

- Redirecting existing financial flows away from fossil fuels, including by eliminating subsidies; and
- Providing finance and technical support for countries to develop phaseout and just transition plans for workers, communities, and regions.

Through debt and financial mechanisms and trade-related incentives, the Fossil Fuel Treaty can provide an umbrella framework for establishing and governing levers such as those identified below, which can help lower the barriers to, decrease the costs and increase the benefits of, and accelerate coordinated action toward, fossil fuel phaseout.

Debt Resolution Facility

As noted above, debt repayment obligations are a significant barrier to fossil fuel transition, perpetuating dependence on fossil fuel revenues and crowding out investment in renewables. This makes the transition hardest for many of the countries that most need support. A dedicated debt resolution facility associated with the Fossil Fuel Treaty could help eliminate this structural barrier to transition, and therefore enable countries to redirect fiscal capacity toward phaseout and diversifying their economies rather than servicing debt obligations that entrench fossil fuel dependence.

Fossil Fuel Phaseout Plans and End to New Expansion

International cooperation on fossil fuel phase out is essential and intertwined with national action and plans. National plans for ending expansion and phasing out fossil fuels are needed to enable countries to make informed investment decisions, provide certainty for workers and communities, and ensure the transition is transparent and equitable — minimising the risk of disruption and stranded assets. The COP30 Presidency Roadmap can help provide guidance to emphasize that national phaseout plans should align with the 1.5°C target, reflect equity and common but differentiated responsibilities, and address the practical challenges of decommissioning, including liability, environmental remediation, and financing.

Moreover, it is not enough for phaseout plans to address energy and transport uses of fossil fuels. Phaseout also must encompass agrochemicals and petrochemicals, including plastics and ammonia, which represent a growing share of fossil fuel use. As demand for fossil fuel declines in energy and transport sectors, the industry relies on petrochemicals to sustain growth, framing its products, like ammonia, as energy solutions. Tackling this sector offers a chance to accelerate phaseout efforts by targeting a core area of fossil expansion and its supporting narratives, and reducing its toxic impacts. The solution requires halting petrochemical expansion, especially new ammonia and plastics infrastructure, by ending permits, subsidies, and public support for ineffective technologies like “blue” ammonia and carbon capture, redirecting savings in public resources to a just transition.⁸

⁸ See Center for International Environmental Law, *Curb Petrochemicals to Unlock a Full Fossil Fuel Phaseout*, March 2026, <https://www.ciel.org/wp-content/uploads/2026/03/Curb-Petrochemicals-to-Unlock-Fossil-Fuel-Phaseout.pdf>.

Phaseout plans must also exclude false solutions that perpetuate fossil fuel reliance including CCS, carbon dioxide removal, geoengineering, and carbon offsets. States should exclude these technologies and schemes and collectively incentivize their exclusion.

Phaseout plans must be paired with just transition plans that address how to support fossil fuel-dependent workers, communities, and regions. Phasing out fossil fuels avoids the **costs of fossil fuel dependence** — both direct costs, such as payments for fossil fuel imports, subsidies, maintenance and repair costs, and impacts of price volatility, and indirect costs, such as adverse **social impacts, public health harms, and environmental damage**. States should redirect funds no longer required to sustain fossil fuel use to instead minimize the risks to fossil fuel-dependent workers, communities, and regions that is imperative not only for ensuring their wellbeing and realization of their human rights, but also to increase their (and overall public) support for the transition.

Coordinated Action to Eliminate ISDS as a Barrier to Transition

As noted above, existing international investment agreements — including those containing ISDS provisions — represent a significant barrier to ambitious fossil fuel phaseout policies, enabling fossil fuel companies to challenge transition measures through international arbitration. With thousands of investment agreements and contracts that include ISDS provisions, renegotiating each individually is not a feasible or efficient way to address the problem. Instead, States can take coordinated legal action to collectively revoke or annul existing ISDS provisions in relevant investment agreements, and neutralize their effect. Doing so would prevent further claims by fossil fuel investors and support countries seeking to exit agreements that promote or protect fossil fuel investment. The COP30 Presidency Roadmap should encourage this as a prime way to eliminate a significant barrier.

A Fossil Fuel Treaty could provide a vehicle for such a coordinated legal solution to the ISDS challenge. States party to a FFT could agree to terminate, withdraw from, or void ISDS provisions in investment agreements and annul fossil fuel investment protection, removing a barrier to phaseout while creating a framework to govern the transition away from fossil fuels. A FFT would reconcile the international legal and economic landscape, ensuring that it is not prohibitive for countries to comply with the law, but feasible to take necessary, ambitious measures that make polluters pay for the transition, rather than paying polluters.

(d) How can a just, orderly and equitable transition best reflect the diverse realities of countries at different stages of development and with different degrees of dependence on fossil fuels?

A credible Roadmap towards a just transition from fossil fuels must first halt fossil fuel expansion. It is impossible to transition away from fossil fuels while still increasing their supply. This means no more licenses and funding for new fossil fuel projects, whether on- or offshore, ceasing subsidies to the fossil fuel industry, and removing legal barriers to taking decisive action on fossil fuels, such as ISDS. The Roadmap should, at minimum, implore States to measure in absolute terms the change in levels of fossil fuel production and use (not solely emissions), as an indicator of their efforts to advance the transition. Additionally, a credible Roadmap should specify that environmental impact assessments (EIAs) for any proposed industrial activity or

policy, including those related to fossil fuels, must routinely assess all cumulative impacts, including scope 3 (downstream) emissions from the use of fossil fuels produced, regardless of where those emissions — and the environmental and climate impacts they cause — occur.

The COP30 Presidency Roadmap must:

Urge countries to halt fossil fuel expansion, particularly in and on the ocean, where the buildout of new oil and gas activities continues despite the scientific and legal imperative to phase out fossil fuel production and use. States should ban new offshore oil and gas activity, particularly in marine areas important for ecological integrity, human rights, and climate stability. Building on the climate change advisory opinion of the International Tribunal for the Law of the Sea (ITLOS), which affirmed that States have a duty to prevent, reduce and control all sources of marine pollution from GHG emissions, States should use ocean law and institutions to regulate oil and gas activity and enforce phaseout plans. EIAs assessing all emissions, including Scope 3 emissions, should be conducted prior to authorizing, financing, or renewing permits for any and all fossil fuel activities, ensuring due consideration of the inevitable downstream climate impacts from the use of fossil fuels produced and their cumulative effects on the environment and public health. Governments should require upfront financial guarantees for decommissioning, cleanup, and environmental restoration for existing production, to ensure polluters pay for damages they cause and provide reparations to affected communities.

Reinforce the legal obligations to curb fossil fuel production and use, including financing for and authorization of fossil fuel activities which are irrefutably the primary source of the GHG emissions causing climate change. As the International Court of Justice (ICJ) confirmed in its July 2025 advisory opinion on climate change,⁹ States have legal obligations under multiple sources of law — including customary and treaty-based human rights and environmental law — to protect the climate system and prevent climate harm by addressing the drivers of climate change, including fossil fuel production, use, licensing, and subsidies, as well as a duty to cooperate effectively and in good faith toward that end. Those obligations are owed to the international community as a whole, and any State can enforce them by invoking State responsibility for their breach.¹⁰

Urge countries to comply with the ICJ and its Advisory Opinion on climate change, which affirmed that countries have an obligation to use all means at their disposal to prevent climate harm at its source (principally, fossil fuels). The due diligence required of States is differentiated based on their capacities, and developed countries have a duty to support developing countries in pursuing transition. This obligation must be understood in light of the principles of equity and common but differentiated responsibilities, under which developed States, given their historical contributions to climate change and greater financial capacity, bear enhanced duties. These include not only the obligation to mitigate emissions domestically, but also provide financial resources to developing countries for mitigation,

⁹ International Court of Justice, *Advisory Opinion on Obligations of States in respect of Climate Change* (2025), <https://www.icj-cij.org/case/187>.

¹⁰ International Court of Justice, *Advisory Opinion on Obligations of States in respect of Climate Change* (2025) paras. 440-443, <https://www.icj-cij.org/case/187>.

adaptation, and loss and damage. When States breach one or more of their international obligations, they have a duty to cease the wrongful conduct, provide guarantees of non-repetition, and provide full reparation for any resulting harm.¹¹

Call for the provision of finance, technical support, and capacity building by developed States to developing States for rights-based just transitions and a full and equitable phaseout. As discussed above and as affirmed by the ICJ, countries have a duty to cooperate and this includes that developed countries have a duty to provide support to developing countries for climate action.¹² It will be impossible to realize a full fossil fuel phaseout and just transition without the provision of adequate, accessible finance and other support. Mechanisms such as a dedicated debt resolution facility, reciprocal trade incentives, and drastically scaled-up public support for phaseout and just transition planning, including through resourcing of existing climate finance funds connected to the UNFCCC and Paris Agreement — are essential tools for ensuring the costs and benefits of transition are shared equitably. Without them, a commitment to transition risks becoming an obligation borne disproportionately by those least responsible for the climate crisis. The Roadmap should explicitly endorse the provision of scaled-up climate finance from developed countries to developing countries through existing mechanisms, such as the Green Climate Fund, Adaptation Fund, and Loss & Damage Fund, as a critical lever for enabling a fossil fuel phaseout and just transition. These funds already support mitigation activities as well as adaptation and loss and damage, and providing grants-based finance for the latter two categories also helps free up capital that developing countries can then use to support fossil fuel phaseout and transition plans and activities.

Model and replicate meaningful and equitable participation in decision-making on the transition away from fossil fuels. Consistent with States' human rights obligations and principles of environmental democracy, ensure access and engagement by Indigenous Peoples, civil society representatives, and scientific experts not only in this process, but in all fora for international cooperation on fossil fuel phaseout. Additionally, it should recognize the undue influence of corporate fossil fuel interests and call for the implementation of a conflict of interest policy and other measures to prevent corporate capture by the fossil fuel industry and other entrenched private interests within the UNFCCC, as well as other fora dedicated to ensuring fossil fuel phaseout.

¹¹ International Court of Justice, *Advisory Opinion on Obligations of States in respect of Climate Change* (2025) paras. 427, 445, 290-292, <https://www.icj-cij.org/case/187>.

¹² International Court of Justice, *Advisory Opinion on Obligations of States in respect of Climate Change* (2025) paras. 301-308, <https://www.icj-cij.org/case/187>.