



## **QUNO Exploratory Note - The Just Transition: a human rights-based approach towards the low-carbon economy**

Beatrice Liese

Quaker United Nations Office

### *Background to work on this topic*

This briefing is produced by the Quaker United Nations Office in Geneva. It is informed by longstanding Quaker concern for climate justice and equality and more recent advocacy for just economic systems that sustain people and planet.<sup>1</sup> QUNO has been working on efforts to address climate change as a peace and justice concern since 2013. QUNO's advocacy has placed consistent emphasis on the need to transform the root causes of climate change embedded in our political, economic and social systems, and recognizes the connection between climate change, related environmental destruction, and global structural and economic injustices.

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<sup>1</sup> See, for example, the work of Quaker Peace and Social Witness' [Climate and Economic Justice](#) programme.



## *Introduction*

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In the aftermath of the Covid-19 pandemic, the global community faces twin challenges of economic recession and sharp deterioration in employment and labour market conditions.<sup>2</sup> At the same time, we face an ongoing climate and biodiversity crisis that threatens human life on Earth. The way in which economic recovery is approached will determine both our approach and future ability to respond to these challenges. It is within this context that the just transition to a low-carbon economy is discussed.

This briefing will adopt a specific focus on the just transition and its grounding as a human rights-based approach. Within the international community, just transition is already well understood as building on global frameworks related to human rights, social protections and inclusive growth. With increased discussion around the just transition in the context of the economic response to the Covid-19 pandemic and climate change, it is crucial that awareness of just transition as a rights-based approach is communicated to relevant stakeholders within the regulatory, technological and business spheres as well as the communities most affected. Drawing on knowledge from both QUNO's work on sustainable and just economies and the human impacts of climate change, the paper provides an overview of discussions on the topic of just transition(s) to a low-carbon economy within the context of rights-based approaches to climate action.

## *Background – the context of the climate crisis*

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Our human activities are driving environmental crises and rates of global temperature rise unprecedented in human history. Based on current science published by the Intergovernmental Panel on Climate Change (IPCC), continuation of current greenhouse gas emission levels would lead to a +4.8°C global temperature rise by 2100. Yet, even a global temperature rise above between 1.5 and 2 degrees Celsius would result in wide-spread species and eco-system destruction and human suffering.<sup>3</sup> Findings from the Working Group 1 contribution to the IPCC's Sixth Assessment Report state that global Co2 emissions

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<sup>2</sup> The ILO's [World Employment and Social Outlook: Trends 2021](#) found that "Between 2019 and 2020, global unemployment increased by 33 million, while an additional 44 million people became part of the potential labour force [...] In contrast, global unemployment increased by 22 million between 2008 and 2009, while the potential labour force rose by only 6 million over the same period." Vulnerable workers including women and youth have been disproportionately affected. Developing and emerging economies are seeing a particularly slow recovery based on unequal vaccine access and limited capacity to support strong fiscal stimulus measures.

<sup>3</sup> See for example B.2 in IPCC (2021) Working Group 1 contribution to the *Sixth Assessment Report of the Intergovernmental Panel on Climate Change*: "Many changes in the climate system become larger in direct relation to increasing global warming. They include increases in the frequency and intensity of hot extremes, marine heatwaves, and heavy precipitation, agricultural and ecological droughts in some regions, and proportion of intense tropical cyclones, as well as reductions in Arctic sea ice, snow cover and permafrost."



need to fall by 45% from 2010 levels within 10 years and to ‘net zero’ at the global scale by around 2050 to limit warming to 1.5°C.<sup>4</sup> Based on the global economy, we are not on track to meet these goals. Proposed emissions reductions in Nationally Determined Contributions submitted thus far would still likely lead to a 3°C temperature rise above pre-industrial levels. This, in effect, means that we must rapidly transform the root causes driving climate change, including rapid reduction of fossil fuels, and rapid increase in renewable energy systems, sustainable agriculture and consumption levels, to remain within the temperature limits set out in the 2015 Paris Agreement.

The transition to a low carbon economy requires a huge mobilisation of resources – regulatory, technological and financial – to transform those activities driving climate change and achieve this goal. As demand for fossil fuels contracts, investments in this sector will have to decline rapidly whilst investments in clean energy will have to reach an average of 3.5 trillion dollars each year.<sup>5</sup> The short-term results and long-term process of this agenda will have profound impacts on countries’ economies, industrial strategy and workforce, and the global economic system as a whole. The UNFCCC estimated in 2016 that the transition will affect nearly 1.5 billion workers worldwide.<sup>6</sup> This is especially prescient in the context of economic recovery from the Covid-19 pandemic, as identified by the International Labour Organisation (ILO), which places emphasis on the need for measures that create decent work in green infrastructure as part of the policy response.<sup>7</sup>

## *Just Transition*

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The Just Transition Centre of the International Trade Union Confederation (ITUC) defines just transition as “decent work, social inclusion, and poverty eradication while reducing emissions in line with global commitments on tackling climate breakdown.”<sup>8</sup> The concept originated amongst labour unions in North America in the 1990s and has since been taken up specifically in advocacy efforts related to action on climate change, including in the context of international regimes (e.g. UNFCCC, ILO). Following years of campaigning, the concept was included as a key commitment in the Preamble

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<sup>4</sup> IPCC (2021), Working Group 1 contribution to the *Sixth Assessment Report of the Intergovernmental Panel on Climate Change*. Available at: <https://www.ipcc.ch/report/ar6/wg1/#SPM>

<sup>5</sup> International Energy Agency [IEA] and International Renewable Energy Agency (2017) *Perspectives for the energy transition – investment needs for a low-carbon energy system*. Available at: <https://www.iea.org/publications/insights/insightpublications/PerspectivesfortheEnergyTransition.pdf>

<sup>6</sup> UNFCCC (2016), *Just Transition of the workforce, creation of decent work and quality jobs* (technical paper). Available at: <https://unfccc.int/sites/default/files/resource/Just%20transition.pdf>

<sup>7</sup> ILO (2021), *World Employment and Social Outlook: Trends 2021*. Available at: [https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms\\_795453.pdf](https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_795453.pdf)

<sup>8</sup> Just Transition Centre (2017), *Just Transition: A report for the OECD*. Available at: <https://www.oecd.org/environment/cc/g20-climate/collapsecontents/Just-Transition-Centre-report-just-transition.pdf>



to the 2015 Paris Agreement and is also reflected in the UN Sustainable Development Goals (Goals 8, 7, 13 and 1 specifically).<sup>9</sup>

As understanding of the scale of needed transformation has grown, the concept of just transition has naturally evolved to reflect the concern of a wide range of actors and institutions including workers, businesses, governments, Indigenous Peoples<sup>10</sup>, the environmental justice movement<sup>11</sup> and human rights bodies. On this basis, there are a number of entry points to the just transition identified in international regimes. These can broadly be split into: social justice, structural change to the economy, protection of workers and the decent work agenda.

These entry points are also reflected in the International Labour Organisation's (ILO) definitive *Guidelines for a just transition towards environmentally sustainable economies and societies for all*, which lays out an agenda for decent work which includes rights at work, social dialogue, social protection and employment. Taken together, these four pillars ensure an inclusive and participatory transition process in which the basic needs of workers and their communities are met and the vulnerable are protected.

The Preamble of the Paris Agreement calls for “taking 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.”<sup>12</sup> Within the international climate regime, the just transition is specifically discussed in relation to the transition of the workforce, creation of decent work and quality jobs in the context of “response measures” i.e. the implementation of climate change mitigation policies.<sup>13</sup> Just transition can however, also be discussed in the context of adaptation – i.e. adjustments in response to current or expected climate impacts.<sup>14</sup> Overall, the coherence between discussions on response measures (including in the UNFCCC) and on just transition could be further improved. In practice, the just transition process is discussed principally in relation to climate policies and implementation programmes. At the same time, however, the agenda for a just transition intersects with broader social and environmental objectives. Other policy areas – including economic, social and

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<sup>9</sup> Sustainable Development Goals (2015).

<sup>10</sup> The Indigenous Environmental Network, for example, compiled a set of Indigenous-based principles in the context of Indigenous Peoples in North America/Turtle Island. Available at: <https://www.ienearth.org/wp-content/uploads/2017/10/IENJustTransitionPrinciples.pdf>

<sup>11</sup> In this context focus is placed on the transition of whole communities towards ecologically sustainable livelihoods. See, for example, the Climate Justice Alliance's *Just Transition Principles*. Available at: <https://ik.imagekit.io/omprakash/blog/b275f54ec35ac280.pdf>

<sup>12</sup> UNFCCC (2015), *The Paris Agreement*.

<sup>13</sup> UNFCCC (2016), *Just Transition of the workforce, creation of decent work and quality jobs* (technical paper). Available at: <https://unfccc.int/sites/default/files/resource/Just%20transition.pdf>

<sup>14</sup> For further discussion see Harsdorff M, Lieuw-Kie-Song M and Tukamoto M (2011) *Towards an ILO approach to climate change adaptation*. Available at: [https://www.ilo.org/public/libdoc/ilo/2011/111B09\\_282\\_engl.pdf](https://www.ilo.org/public/libdoc/ilo/2011/111B09_282_engl.pdf)



development policy to name a few – must therefore both contribute to just transition measures and, in turn, take national commitments under the Paris Agreement into account.

### *Sustainable and just climate action*

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QUNO recognises that climate change and related environmental issues are a symptom of a greater challenge: how to live sustainably and justly on Earth. The transition to a low-carbon economy offers an opportunity as part of a wider – and ongoing - process of transformation in which economic, social and environmental sustainability are recognised as interrelated and of equal importance. This is reflected in IPCC findings that “social justice and equity are core aspects of climate-resilient development pathways for transformational social change.”<sup>15</sup>

Yet, developing a low-carbon green economy does not guarantee social justice and equity. The physical impacts of climate change, and response and adaptation measures to climate change all have significant implications for human rights.

In a 2016 report, the Special Rapporteur on Human Rights and the Environment, concluded that local, national and international policies that include a ‘rights-based approach’ promote “policy coherence, legitimacy and sustainable outcomes.”<sup>16</sup> QUNO bases its advocacy on human rights-based approaches to climate action around the following three principles: fairness, ambition and effectiveness.<sup>17</sup> This is on the basis that:

- a) Climate policies which integrate human rights-based approaches (HRBA) are more likely to be experienced by communities as fair.
- b) Ambitious climate action is essential for States to pursue efforts, as committed to in the Paris Agreement, “to stabilize global temperature rise at 1.5C above pre-industrial levels”. Ambition in climate policy is essential to protect human rights.
- c) To achieve effective, transformative and healthy societal change, climate policies need to integrate sustainable and just approaches.

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<sup>15</sup> IPCC (2018), Global Warming of 1.5 (special report). Available at: <https://www.ipcc.ch/sr15/>

<sup>16</sup> Knox, J (2016) *Report of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment*. Available at: [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2729611](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2729611)

<sup>17</sup> QUNO (2020), *Submission to HRC Special Rapporteur on extreme poverty and human rights’ Report to the UN General Assembly on the “just transition”: people in poverty and sustainable development*. Available at: <https://quno.org/sites/default/files/resources/QUNO%20Submission%20to%20the%20Special%20Rapporteur%20on%20Extreme%20Poverty%20and%20Human%20Rights%202020%20FINAL.pdf>



### **Human rights-based approaches**

“A human rights-based approach (HRBA) is a conceptual framework normatively based on international human rights standards and operationally directed to promoting and protecting human rights. It seeks to analyse inequalities which lie at the heart of development problems and redress discriminatory practices and unjust distributions of power that impede development progress and often result in groups of people being left behind.

Under a human rights-based approach, plans, policies and programmes are anchored in a system of rights and corresponding obligations established by international law, including all civil, cultural, economic, political and social rights, and the right to development. HRBA requires human rights principles (universality, indivisibility, equality and non-discrimination, participation, accountability) to guide United Nations development cooperation, and focus on developing the capacities of both ‘duty-bearers’ to meet their obligations, and ‘rights-holders’ to claim their rights.”

– *United Nations Sustainable Development Group, Universal Values*

### ***Human rights-based approaches to climate change***

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Human rights-based approaches to climate action place emphasis on how “incorporating human rights into national plans for climate action can promote fairer, more ambitious and effective outcomes to address root causes of climate change, enhance biodiversity, and transform power structures that maintain avoidable and extreme poverty.”<sup>18</sup> These involve rights and protections, to which States are already committed under international law. These rights cover both individual and collective rights (e.g., cultural, social, and economic rights).

The preamble of the Paris Agreement addresses human rights, stating that States “should, when taking action to address climate change, respect, promote and consider their respective obligations on human rights, the right to health, the rights of indigenous peoples, local communities, migrants, children, persons with disabilities and people in vulnerable situations and the right to development, as well as gender equality, empowerment of women and intergenerational equity.”<sup>19</sup> The Human Rights Council, in turn, has contributed significantly to establishing the linkages between the fields of human rights and climate change even before it was recognised at the UNFCCC. Resolution 7/23 which was adopted in 2008, for example, “recognises that climate change poses an immediate and

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<sup>18</sup>QUNO (2020), *Submission to HRC Special Rapporteur on extreme poverty and human rights’ Report to the UN General Assembly on the “just transition”: people in poverty and sustainable development.*

<sup>19</sup> UNFCCC (2016), *The Paris Agreement.*



far-reaching threat to people and communities around the world and has full implications for the full enjoyment of human rights.”<sup>20</sup>

### *Just transition and human rights*

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Research undertaken by the Stockholm Environment Institute has found that the majority of transition planning at the national and regional level fails to acknowledge human rights and other social concerns.<sup>21</sup> Policy that does not take human rights into account risks not being experienced as fair, ambitious and effective. This is also counterintuitive, in that the concept of a just transition as it is generally discussed should *in itself* be informed by a rights-based approach to policy making and be rights-compliant, in the spheres of both human rights and workers’ rights.

The effect of climate change on certain economic activities and related employment, directly impacts **the right to work**.<sup>22</sup> Uncontrolled climate change is already and will continue to impact the employment options in climate vulnerable sectors such as agriculture.

The ILO has recognised the **distributive consequences** of climate change as they relate to the just transition through publications focused on decent work as it relates to specific segments of the population – such as women<sup>23</sup> and Indigenous Peoples<sup>24</sup> – as particularly vulnerable to climate impacts. The UNFCCC’s guidelines for a just transition also recognizes how the effect of climate action on employment will particularly effect historically disadvantaged groups such as women, youth and Indigenous Peoples.<sup>25</sup>

The decent work agenda, including adequate **social protection** for those groups directly impacted by climate change and/or climate policies, are important in ensuring the transition process is fair and inclusive. **Rights at work**, including the right to freedom of association and the right to collective bargaining, are important to ensure workers’ participation in transition planning. **Social dialogue**

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<sup>20</sup> United Nations Human Rights Council (2008). *Resolution 7/23. Human Rights and Climate Change*.

<sup>21</sup> Piggot G., Boyland M., Down A. and Torre A.R. (2019). *Realizing a just and equitable transition away from fossil fuels*. Discussion brief. Stockholm Environment. Available at: <https://www.sei.org/publications/just-and-equitable-transition-fossil-fuels/>

<sup>22</sup> For a comprehensive overview of the human rights impacts of climate change see Jodoin, S, Savaresi, A and Wewerinke-Singh, M. (2021) Rights-based approaches to climate decision-making. Available at: <https://www.sciencedirect.com/science/article/abs/pii/S1877343521000762>

<sup>23</sup> ILO (2017), Gender, labour and a just transition towards environmentally sustainable economies and societies for all. Available at: [https://www.ilo.org/global/topics/equality-and-discrimination/publications/WCMS\\_592348/lang-en/index.htm](https://www.ilo.org/global/topics/equality-and-discrimination/publications/WCMS_592348/lang-en/index.htm)

<sup>24</sup> ILO (2017), *Indigenous Peoples and Climate Change: From Victims to Change Agents through Decent Work*. Available at [https://www.ilo.org/global/topics/indigenous-tribal/WCMS\\_551189/lang-en/index.htm](https://www.ilo.org/global/topics/indigenous-tribal/WCMS_551189/lang-en/index.htm)

<sup>25</sup> UNFCCC (2016), *Just Transition of the workforce, creation of decent work and quality jobs* (technical paper).



ensures negotiation, consultation and information exchange between unions, employers, and governments.<sup>26</sup>

**Procedural rights**, including **access to information** and **participation**, also relate to the inclusion of various stakeholders in decision-making processes. Participatory processes form an important part of the process to ensure the rights of all actors – including those communities who may be indirectly affected by structural changes to the economy and climate action – are secured throughout the just transition. This is particularly important in the context of developing countries whose economies are highly dependent on informal workers who may not be subject to labour rights.

Taken collectively, **it is crucial that discussions related to just transition recognize its grounding in global frameworks related to human rights and social protections** to ensure climate action is compatible and supports the rights of workers and those communities most affected.

A milestone establishing the link between the just transition and human rights-based approaches was the 2020 report by the Special rapporteur on extreme poverty and human rights, which presents the case for “reconciling poverty eradication with the ecological transformation” implied by the just transition.<sup>27</sup> The report calls for a **transformative approach** to the just transition and develops insights into the implications of such an approach on the rights of people living in poverty; specifically with regards to employment opportunities and their access to goods and services. It also places strong emphasis on economic recovery and transition to a low-carbon economy as an opportunity for strengthening rights-based established social protection, shrinking social inequality, and ensuring an inclusive and participatory transition process, all under the umbrella of a global just transition. An important barrier to human rights-based approaches that is highlighted in the report is the lack of clearly assigned accountability (e.g., to specific government agencies or sectors).

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<sup>26</sup> Also see <https://www.ilo.org/global/topics/workers-and-employers-organizations-tripartism-and-social-dialogue/lang-en/index.htm>

<sup>27</sup> Human Rights Council (2020), Special Rapporteur on extreme poverty and human rights - *Report on the “just transition” in the economic recovery: eradicating poverty within planetary boundaries*. Available at: <https://www.undocs.org/A/75/181/REV.1>





## *Challenges at the international level*

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Just transition policy frameworks have been developed at the level of national and regional economies (e.g., the European Green Deal 2021, US Green New Deal, Philippines Green Jobs Act 2016, Canadian Coal Workforce Transition Programme 2017). However, the discussion of just transition at the international level remains limited. In the first set of Nationally Determined Contributions (NDCs) to the Paris Agreement submitted in 2016 few submissions included information related to just transition of the workforce.<sup>28</sup> A number of States have now included the goal in their second submission following active engagement by the ILO.<sup>29</sup> Given the far-reaching effects of just transition(s) – both at the regional, national and international level - further considerations need to be made of the implications of transition to a low-carbon economy at the international level. This extends to the climate negotiations as well as other international regimes relating to the workforce.

Whilst research indicates that the just transition will result in job creation for countries at all levels of development, factors such as countries' economic profile (i.e. dependency on extractives or material manufacturing) and labour market, will hold different implications for how the clean-energy transition on workers and communities.<sup>30</sup> A further consideration, which is yet to be extensively discussed, is how the differing rates of decarbonization and uptake of green energy based on national climate plans will impact workers. The impacts of decarbonization on jobs across global value chains must be taken into account.

Workers and communities will lose out in the clean-energy transition if not adequately accounted for and offered transitional support at the international level. The emphasis on social inclusion and poverty eradication in the ILO's guidelines for a just transition inherently imply that the just transition must have a global reach. National transitions that do not provide for their effects globally will not be just.

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<sup>28</sup> UNFCCC (2019), Just Transition of the Workforce and the Creation of Decent Work and Quality Jobs (technical paper). A notable exception is South Africa which mentioned just transition in their first NDC.

<sup>29</sup> See for example NDC submissions by Colombia and the EU.

<sup>30</sup> For a full discussion on the different approaches to just transition strategies in developing countries see Błachowicz, A et al. (2021), *Incorporating just transition strategies into developing countries NDCs and Covid-19 responses: Comparing insights from Ghana, Colombia and Indonesia, Climate Strategies*. Available at: <https://climatestrategies.org/wp-content/uploads/2021/07/Incorporating-just-transition-strategies-into-developing-countries-NDCs-and-Covid-19-responses.pdf>



## *Conclusion*

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As countries undertake their Nationally Determined Contributions (NDCs) and launch recovery plans following the Covid-19 pandemic, greater engagement and integration of rights-based approaches towards a low-carbon economy needs to be undertaken across the UN system to ensure fair and effective climate action at the international level. Whilst national plans for the transition to a green economy must be context specific, the transition to a low-carbon economy at the global level must be accounted for by international regimes. Entry points at the multilateral level currently include existent discussions at the UNFCCC (e.g., the Katowice Committee of Experts on the Impacts of the Implementation of Response Measures), the Working Group on Business and Human Rights and the Trade and Environment Structured Discussions at the WTO.

This paper has demonstrated the overall need to ensure the inclusion of a human rights-based approach to policy making in the context of further work on the just transition within any fora. In that sense we need better, smarter, and more just policy designs for the longer term. Just transition should not be seen as a secondary problem (focused on job losses in the fossil fuel sector) but as the main viable way to a sustainable low-carbon economy that addresses social ills including inequality and poverty. In that sense, we need a 'just systems transition' that involves human rights-based approaches. It is crucial that this approach is adequately integrated in the transformation towards a low-carbon economy that places justice and sustainability at its center.