

Submission from Office of the High Commissioner for Human Rights on the Baku to Belém Roadmap to 1.3T

The Office of the United Nations High Commissioner for Human Rights (OHCHR) welcomes the opportunity to provide feedback to guide the development of the ‘Baku to Belém Roadmap to 1.3T’ (Roadmap), aiming at scaling up climate finance to developing country Parties to support low greenhouse gas (GHG) emissions and climate-resilient development pathways and the implementation of nationally determined contributions and national adaptation plans including through grants, concessional and non-debt creating instruments, and measures to create fiscal space, taking into account relevant multilateral initiatives as appropriate.

As indicated in the ICJ’s Advisory Opinion of 23 July 2025 on the obligations of States in respect of climate change,¹ while the Paris Agreement does not specify the amount or level of financial support that must be provided, this must be interpreted in light of other provisions in the Agreement, including the collective temperature goal provided for in Article 2. Accordingly, parties are to implement their obligations under Article 9 in a manner and at a level that allows for the achievement of the objectives listed in Article 2. This level can be evaluated on the basis of several factors, including the capacity of developed States and the needs of developing States. The Court further recognizes that the duty to co-operate leaves States some discretion in determining the means for regulating their GHG emissions. However, the Court underlines that this discretion cannot serve as an excuse for States to refrain from co-operating with the required level of due diligence or to present their effort as an entirely voluntary contribution which cannot be subjected to scrutiny. The duty to co-operate is founded on the recognition of the interdependence of States, requiring more than the transfer of finance or technology, in particular efforts by States to continuously develop, maintain and implement a collective climate policy that is based on an equitable distribution of burdens and in accordance with the principle of common but differentiated responsibilities and respective capabilities. As the Court found, climate change is a common concern; therefore, co-operation is not a matter of choice for States but a pressing need and a legal obligation.

Human Rights Council mechanism reports have also touched on these issues. For instance, the Expert Mechanism on the Right to Development in their report on Climate justice, sustainability and the right to development (A/HRC/60/95) indicates:

The current allocation of climate finance falls short of adequately addressing the pressing needs of vulnerable nations, particularly in terms of adaptation. Imbalances persist in the distribution of global climate finance, with mitigation efforts receiving the majority of resources, and adaptation a relatively small proportion: only approximately 25 per cent of climate finance supports adaptation.² Furthermore, a substantial portion of climate finance is delivered as loans rather than grants, exacerbating the debt burden on developing economies. Over 70 per cent of climate finance is in the form of loans, raising significant concerns about long-term sustainability for vulnerable economies.³ These realities risk undermining the capacity of these nations to address climate impacts without compromising their economic stability. The most vulnerable nations and communities, including least developed countries and small island developing States, remain disproportionately underserved. For instance, Africa, the region most severely affected by climate change, received only 20 per cent of global adaptation finance flows between 2021

¹ [ICJ Advisory Opinion on the Obligations of States in Respect of Climate Change](#)

² See [Climate Funds Update](#), “Climate finance thematic briefing: adaptation finance”.

³ Organisation for Economic Co-operation and Development (OECD), [Climate Finance Provided and Mobilised by Developed Countries in 2016–2020: Insights from Disaggregated Analysis](#), p. 4.

and 2022.⁴ The existing financing framework favours larger economies with more robust financial systems, creating barriers for highly vulnerable countries seeking resources to enhance resilience and adapt to climate challenges. The skewed allocation of climate finance perpetuates disparities. Channeling the majority of funds towards mitigation rather than adaptation initiatives poses an obstacle to the realization of the right to development. Rectifying these inequities demands targeted reforms to ensure that climate finance is distributed equitably and effectively reaches those most in need. The right to development principles provide a framework for addressing gaps and inequities in climate finance, ensuring that resources prioritize the rights and well-being of those most affected by climate change.

OHCHR's draft [Guidance on integrating human rights in the New Collective Quantified Goal \(NCQG\) on climate finance](#) further highlights that climate finance should adopt a human rights-based approach, pegging total climate finance to actual needs. It should take into account in particular the rights of people disproportionately affected by climate change, including Indigenous People, peasants, persons with disabilities, and children. States should:

- Anchor climate finance in their obligations to respect, protect and fulfil human rights, including gender equality, for all.
- Prioritize international cooperation and public climate finance aligned with the principles of equity, polluter pays and CBDR-RC.
- Ensure new, additional, predictable and adequate climate finance aligned with State human rights obligations across all climate action, in particular, mitigation, adaptation, and loss and damage.
- Support a rapid, equitable and just transition, inclusive of social dialogue and stakeholder engagement.
- Advance inclusive, participatory and gender-transformative climate action.
- Ensure finance to developing countries in the form of grants, as well as debt-relief, that is new and additional to official development assistance.
- Ensure transparency and enhance accountability through a common and enhanced reporting format for public climate finance flows that addresses both quantity and quality with more granularity, including by reporting flows in grant-equivalent terms.
- Make finance better and more directly accessible to the people and countries most affected by climate change.

Finally, OHCHR's [Key Messages on Human Rights and Climate Change](#) highlight key considerations to foster policy coherence and help ensure that climate change mitigation and adaptation efforts are adequate, sufficiently ambitious, non-discriminatory and otherwise compliant with human rights obligations, including the need to mobilize maximum available resources for sustainable, human rights-based development, and the need for international cooperation.

OHCHR once again welcomes the opportunity to provide feedback on this important matter and has outlined responses to the suggested questions below.

(a) What are priority short-term (by the end of 2028) and medium-to-long-term (beyond 2028) actions necessary to enable the scaling up of financing for climate action to developing countries?

⁴ Global Center on Adaptation and Climate Policy Initiative, [State and Trends in Climate Adaptation Finance 2023](#), p.1.

Based on experience to date and evidence, what can those actions contribute to in terms of progress in enabling the scaling up of financing?

Short-term (now to 2028)

1. Set interim milestones toward the CMA's 2035 objective of at least USD 1.3 trillion/yr for developing countries that embed human rights safeguards (e.g., participation, access to remedy) drawn from OHCHR guidance.⁵ To track progress, use an accessible and transparent dashboard so Parties can see progress and gaps.⁶
2. Operationalize and adequately capitalize priority funds including for adaptation (see response to question b below) and the Fund for Responding to Loss and Damage. Loss and damage from the adverse effects of climate change may include broad and increasing harms to the enjoyment of a wide range of human rights, such as the rights to life, health, housing, food, culture, education, an adequate standard of living, development, work, water and sanitation, self-determination and a clean, healthy and sustainable environment. Averting and minimizing loss and damage depends on measures to mitigate and adapt to climate change, thereby protecting the rights of present and future generations. In accordance with human rights law, States should ensure that people whose rights have been violated because of loss and damage from climate change have access to justice and effective remedy, which may encompass reparation, compensation, restitution, rehabilitation, satisfaction and guarantees of non-repetition. States should urgently mobilize these funds in line with the recommendations in [A/HRC/57/30](#).
3. Prioritize grants and highly concessional resources. Experience shows loan-heavy finance can aggravate debt burdens and constrain rights-consistent investment. A shift toward grants and other non-debt instruments advances equity and the right to development while increasing developing States' capacity.⁷
4. Promote debt relief and restructurings that are consistent with human rights obligations and tackle tax abuses and illicit financial flows that drain public resources, including through transparency

⁵ See e.g., [A/HRC/60/95: Climate justice, sustainability and the right to development - Thematic study by the Expert Mechanism on the Right to Development](#); [A/HRC/58/51: Understanding the landscape of climate finance, debt, tax and illicit financial flows and human rights – Thematic report by the Independent expert on foreign debt](#); [A/HRC/57/30: Analytical study on the impact of loss and damage from the adverse effects of climate change on the full enjoyment of human rights, exploring equity-based approaches and solutions to addressing the same – Report of the Secretary General](#); [A/HRC/56/55: Investors, environmental, social and governance approaches and human rights – Report by the Working Group on business and human rights](#); [A/HRC/54/31: Green financing – a just transition to protect the rights of Indigenous Peoples - Report of the Special Rapporteur on the human rights of Indigenous Peoples](#); [OHCHR Guidance on Integrating Human Rights in the New Collective Quantified Goal \(NCQG\) on Climate Finance](#); [Policy Brief: Mobilizing Trillions for the Global South: The Imperative of Human Rights-based Climate Finance by the Special Rapporteur on human rights and the environment](#); and [Policy Brief: “Human Rights-Based Finance for the Environment”](#).

⁶ See e.g., [A/79/176: Access to information on climate change and human rights- Report of the Special Rapporteur on the promotion and protection of human rights in the context of climate change](#)

⁷ See e.g., [A/HRC/55/37](#): To safeguard broader fiscal space for necessary investments in socioeconomic rights and social spending in countries most affected by climate change, States and providers of development finance, including international financial institutions, should scale up international grant-based financing for climate action and food security to highly indebted countries, ensuring that finance broadens fiscal space and is targeted at benefiting groups in marginalized and vulnerable situations. They should mobilize, manage and disburse such funds in a manner that ensures respect for human rights, guided by the aforementioned principles of solidarity, climate justice, equity, polluter pays and common but differentiated responsibilities and respective capabilities, among others.

initiatives and repatriation of illicit funds. These steps free budget space for climate action without eroding other human rights, although they cannot be considered a substitute for climate reparations.⁸

5. Establish financing mechanisms that enhance the predictability of funding and facilitate direct and equitable access to the people and communities most affected by environmental harm, including local authorities, Indigenous Peoples, women's groups, persons with disabilities and other groups at heightened risk of human rights harms, coupled with human rights due diligence and accessible grievance mechanisms to ensure access to remedy.⁹ This shortens delivery chains and improves effectiveness of finance.

Medium-to-long term (post-2028): towards a human rights economy¹⁰

1. Reform the financial architecture through a human rights lens, including by establishing a United Nations-led fiscal restructuring framework to provide climate-vulnerable countries with the fiscal space needed to address the climate crisis.¹¹
2. Advance systemic changes (debt work-outs that protect social spending; tackling illicit flows; progressive and international taxation options) so climate finance no longer competes with debt service, and public budgets can sustain long-horizon investments.¹²
3. Strengthen regulatory frameworks for climate finance by institutionalizing rights-based, predictable finance. Build permanent channels for non-debt-creating climate finance, with governance that ensures participation, transparency (including in reporting), and access to effective remedy for harms.¹³
4. Shift incentives from harmful subsidies to rights-enhancing finance. Redirect public resources from activities that undermine rights, including the right to a healthy environment, such as fossil fuel subsidies, toward equitable climate action and social protection, consistent with guidance by the Special Rapporteur on human rights and the environment.¹⁴ In doing so, promote a human rights economy by using human rights to design progressive tax systems for greater equality and to generate the resources needed to realize human rights for all.
5. In general, anchor all economic, fiscal, monetary, business and investment decisions in human rights by using human rights obligations to guide climate finance and budget decisions; by investing sufficiently in public education, health, social protection and rights; by taking meaningful action to reduce inequalities; and by refraining from austerity measures, social cuts and retrogressions. This includes the creation of mechanisms for participative, inclusive,

⁸ [A/HRC/58/51](#)

⁹ [Policy Brief: "Human Rights-Based Finance for the Environment"](#) and [OHCHR Guidance on Integrating Human Rights in the New Collective Quantified Goal \(NCQG\) on Climate Finance](#)

¹⁰ [Human Rights Economy Discussion Paper](#)

¹¹ [A/HRC/58/51](#)

¹² [A/HRC/58/51](#)

¹³ [OHCHR Guidance on Integrating Human Rights in the New Collective Quantified Goal \(NCQG\) on Climate Finance](#)

¹⁴ [Policy Brief: Mobilizing Trillions for the Global South: The Imperative of Human Rights-based Climate Finance by the Special Rapporteur on human rights and the environment](#)

transparent and accountable budget processes that allow the public and civil society to access information and “follow the money”.

6. Foster cooperation through multilateral channels, including in line with Article 9.1 of the Paris Agreement, to address remaining gaps in the capacity of developing countries to gain access to and manage climate finance. Ensure that these channels and mechanisms are designed and implemented in full compliance with international human rights standards, including principles of transparency, participation, accountability and non-discrimination. Also foster capacity-building, including South-South and North-South collaboration, to increase developing countries’ capacity to attract sustainable investments.
7. Engage businesses to 1) ensure innovative financial instruments for private capital mobilization that implement human rights due diligence and access to remedy standards in line with the UN Guiding Principles on business and human rights; and 2) ensure that businesses are fulfilling their responsibility to respect human rights in the context of climate change, including through implementing NDCs and by integrating human rights safeguards into climate-related strategies, operations and reporting.

(b) What strategies can be implemented to enhance and scale up public and private financing mechanisms for climate adaptation, especially in vulnerable regions?

1. Adopt explicit, rights-based adaptation targets in the Roadmap, with a rising share of grants and direct access for at-risk groups (SIDS, LDCs, Indigenous Peoples, persons with disabilities, women and girls), recognizing their disproportionate exposure, to ensure that climate finance is predictable, accessible and effective.¹⁵
2. Ensure adequate finance for adaptation to support people and countries at heightened risk of human rights harms from climate change including through robust social protection systems.¹⁶ Social protection is key to adaptation and essential for building resilience, as robust social security systems can support adaptation for people in vulnerable situations by providing healthcare, income security, and social services, among others, to uphold human rights. Social protection systems, when aligned with national transition strategies and international environmental and labour standards, support communities in adapting to climate-related challenges, helping to reduce inequalities and enhance long-term sustainability.¹⁷ The report of the United Nations High Commissioner for Human Rights on Measures for minimizing the adverse impact of climate change on the full realization of the right to food¹⁸ highlights that high-income countries should support developing countries’ investment in social protection systems as a first line of defence

¹⁵ [Policy Brief: “Human Rights-Based Finance for the Environment”](#) and [OHCHR Guidance on Integrating Human Rights in the New Collective Quantified Goal \(NCQG\) on Climate Finance](#)

¹⁶ [OHCHR Guidance on Integrating Human Rights in the New Collective Quantified Goal \(NCQG\) on Climate Finance](#)

¹⁷ [OHCHR Guidance on Integrating Human Rights in the New Collective Quantified Goal \(NCQG\) on Climate Finance](#); and [A/HRC/59/51](#) which argues to shift from ad-hoc humanitarian responses to rights-based social protection to build resilience to climate shocks, and calls for international support/funding to establish social protection floors.

¹⁸ Para 17, [A/HRC/55/37](#).

against the impacts of climate change on food insecurity, which is also applicable to other climate change impacts.

3. Require locally led adaptation coupled with human rights due diligence, human rights impact assessments, FPIC, gender-transformative design, disability inclusion, and accessible grievance mechanisms for public and private financing.¹⁹ This includes requiring credible transition and adaptation plans from private actors and ensuring investments do not externalize harms onto communities or ecosystems,²⁰ but rather embed access-to-information²¹ and remedy for affected rights-holders.²²

(c) What other experiences, proposals or approaches could help inform and accelerate efforts to mobilize USD 1.3 trillion in financing, including through grants, non-debt creating instruments, new sources of finance, and strategies to create fiscal space?

1. Grants and non-debt instruments for those most at risk. See OHCHR's NCQG guidance which calls for grants and debt-relief instruments, particularly for adaptation and loss & damage, to prevent worsening debt distress and fulfil the right to development.²³
2. Human rights-based international taxation and subsidy reform. Special Procedures and OHCHR policy work highlights options such as climate pollution taxes, redirection of fossil-fuel subsidies, and wealth taxes to generate predictable, rights-enhancing revenues for climate action.²⁴
3. Combatting illicit financial flows and strengthening tax justice. Redirecting resources lost to illicit flows and unfair tax practices is a practical path to create fiscal space for climate action without sacrificing human rights.²⁵
4. Protecting social spending when addressing debt. Debt work-outs should explicitly safeguard budget lines essential to rights (health, education, social protection) and climate resilience, ensuring climate finance does not displace those expenditures.²⁶
5. Embedding participation and accountability to increase effectiveness. Financing that guarantees meaningful participation, transparent disclosure, and access to remedy can improve project quality and reduce conflicts, thereby enabling faster scale-up.²⁷

(d) What key actors and existing multilateral initiatives should be considered or involved, as appropriate, to support the delivery of the USD 1.3 trillion target?

¹⁹ [OHCHR Guidance on Integrating Human Rights in the New Collective Quantified Goal \(NCQG\) on Climate Finance](#) and [A/HRC/54/31](#)

²⁰ [A/HRC/54/25](#)

²¹ [A/79/176](#)

²² [OHCHR's Accountability and Remedy Project](#)

²³ [OHCHR Guidance on Integrating Human Rights in the New Collective Quantified Goal \(NCQG\) on Climate Finance](#) and [A/HRC/58/51](#)

²⁴ [Policy Brief: Mobilizing Trillions for the Global South: The Imperative of Human Rights-based Climate Finance by the Special Rapporteur on human rights and the environment](#) and [Policy Brief: "Human Rights-Based Finance for the Environment"](#)

²⁵ [A/HRC/58/51](#) and [A/HRC/31/61](#)

²⁶ [A/HRC/59/51](#) and [A/HRC/58/51](#)

²⁷ [OHCHR Guidance on Integrating Human Rights in the New Collective Quantified Goal \(NCQG\) on Climate Finance](#), [A/79/176](#), [A/HRC/57/30](#) and [A/HRC/54/31](#).

1. OHCHR and Human Rights Council mechanisms, including Special Procedures, treaty bodies and expert mechanisms to help ensure that the Roadmap's design and implementation are consistent with human rights obligations and responsibilities under international human rights law.
2. International financial institutions and development banks to expand debt solutions without eroding human rights, and require human rights due diligence from clients.²⁸
3. Rightsholders and civil society, including Indigenous Peoples' organizations, women's rights groups, organizations of persons with disabilities, youth movements, trade unions, environmental human rights defenders, community-based organizations, lawyers, academics, and others, to ensure inclusive, participatory, gender-transformative and informed approaches.
4. Financial institutions, including but not limited to institutional investors, banks, insurers, asset owners, asset managers, and corporate issuers.²⁹ The Working Group on business and human rights and OHCHR have clarified that investors, as part of their responsibility to respect human rights, are expected to undertake human rights due diligence for their actual and potential human rights impacts, which include human rights impacts connected to environmental and climate change harm.³⁰
5. Businesses. The Working Group on business and human rights has clarified that the responsibility of businesses under the UN Guiding Principles on business and human rights to respect human rights and not to cause, contribute or be directly linked to human rights impacts arising from business activities include the responsibility to act in regard to actual and potential impacts related to climate change.³¹ The ICJ's Advisory Opinion considers, taking into account the adverse effects of climate change on the enjoyment of human rights, that the full enjoyment of human rights cannot be ensured without the protection of the climate system and other parts of the environment. To guarantee the effective enjoyment of human rights, States must take measures to protect the climate system and other parts of the environment. These measures may include, inter alia, taking mitigation and adaptation measures, with due account given to the protection of human rights, the adoption of standards and legislation, and the regulation of the activities of private actors. Under international human rights law, States are required to take necessary measures in this regard.³²

²⁸ See e.g. [A/HRC/53/24/Add.4](#)

²⁹ See e.g. [A/HRC/56/55](#) which highlights the key role of financial sector actors in connecting human rights standards and processes with investment criteria.

³⁰ [Information Note on Climate Change and the Guiding Principles on Business and Human Rights](#)

³¹ [Information Note on Climate Change and the Guiding Principles on Business and Human Rights](#) and [OTH 61/2023](#); [OTH 81/2023](#); [OTH 82/2023](#); [OTH 83/2023](#); [OTH 84/2023](#); [OTH 85/2023](#); [OTH 86/2023](#); [OTH 87/2023](#); [OTH 88/2023](#); [OTH 89/2023](#); [FRA 6/2023](#); [JPN 2/2023](#); [GBR 13/2023](#); [USA 17/2023](#); [OTH 79/2023](#); [OTH 80/2023](#); [SAU 3/2023](#); [OTH 53/2023](#)

³² [ICJ Advisory Opinion on the Obligations of States in Respect of Climate Change](#)