

# Position Paper NGOs On the Transitioning Away from Fossil Fuels Conference

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This position paper has been endorsed by members of the Internationale Klimaatcoalitie (IKC) and partners: Oxfam Novib, Cordaid, Civil Society Platform for Peacebuilding and Statebuilding, Humanity Hub, Wo=men, SOMO, Climate Reality Europe, Both ENDS, WWF, Hivos, ActionAid, Milieudefensie, Greenpeace, Jonge Klimaatbeweging, Reclame Fossielvrij, WECF, 350.

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# First Conference on Transitioning Away from Fossil Fuels (TAFF)

*Civil Society perspective on the Netherlands' Role as co-organiser of the conference*

## Introduction

Fossil fuels are inextricably linked to current political tensions and wars and a collapse of international order. Europe's dependence on fossil fuels makes the EU vulnerable to global shocks. Hardly recovered from the spike in energy prices in 2022, the EU is again exposed to a global energy crisis - potentially the most serious in decades. It is clear that countries with higher shares of renewable energy are more resilient to such shocks and consistently benefit from lower electricity prices.

Fossil fuels are also at the heart of the climate crisis. Science shows the world is far off track to meet the 1.5°C goal, with global emissions remaining dangerously high. Without stronger ambition, the world is on track for a catastrophic temperature rise of 2.6-3.1°C. Science also shows us that limiting warming to 1.5°C is still technically possible, but only with immediate, drastic emission cuts, to safeguard a livable future for generations to come.<sup>1</sup>

The TAFF conference in Santa Marta comes at a moment when strong political and diplomatic leadership is urgently needed in the face of the escalating violence, geopolitical tensions and climate crisis. The conference is critically important for tackling the persistent dependence on unstable fossil fuels and for building a coalition of willing countries that recognise fossil fuels as the root of the problem. Its outcomes must be implemented swiftly to break the current deadlock in the COP negotiations and to send a decisive signal to governments, industries, and investors worldwide that the fossil fuel era is coming to an end.

As co-organiser the Netherlands is uniquely positioned to shape the direction and ambition of this conference. With this position paper, we - a coalition of civil society organisations - inform the Dutch government of our key expectations ahead of the TAFF conference. The following sections present concrete recommendations to ensure that the Netherlands' leadership helps deliver the strongest possible outcome at this first TAFF conference, organised under three themes:

1. The Netherlands as co-organiser of the conference
2. The Netherlands as EU Member State
3. Key Recommendations under the three conference pillars

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# 1. The Netherlands as co-organiser

**The conference is critically important for unlocking the stalled COP negotiation process, building a coalition of willing countries committed to implementing its outcomes, and sending a strong global signal to governments, industries, and investors that the fossil fuel era is coming to an end. As co-organiser, the Netherlands is in a unique position to shape this conference and the global journey towards a fossil free future. We recommend the following steps as necessary milestones:**

## 1.1 Translate the outcomes into the COP30 Presidency's roadmap

The Santa Marta conference can play a pivotal role in advancing the Brazil COP30 Presidency-led TAFF Roadmap, by filling gaps left by stalled global negotiations and helping to transform Brazil's roadmap from a political vision into a practical, coordinated plan of action. It also gives the Brazilian roadmap crucial international backing by a coalition of willing countries. In line with the recently adopted motion<sup>2</sup> the Minister should closely cooperate with the Brazilian presidency in order to translate the Santa Marta outcomes into the TAFF roadmap.

## 1.2 Transparency around Stakeholder Engagement

### 1.2.1 Setting the agenda: submission and inputs

As part of the road to Santa Marta, stakeholders, including civil society, were invited to submit written inputs and join consultations to help shape the conference agenda and the Santa Marta Roadmap. By raising concerns, sharing research, and offering insights into the dynamics of fossil fuel phase-out, these stakeholders are meant to play a meaningful role in shaping the conference outcomes. However, such engagement can only be truly inclusive if the process is transparent - both in how inputs are used and whose perspectives are taken seriously. Too often, the people most affected by fossil fuel impacts are sidelined, despite being central to decisions about a just transition.

In order to ensure that Santa Marta does not replicate those mistakes, the process of agenda-setting, including the consideration of inputs and submissions, needs to be transparent. Inputs should be only considered if they contribute to the overall goal of the conference: phasing out fossil fuels while following principles of a just energy transition. This requires inputs aligned with climate science, aim at absolute emission reduction, avoid pursuing false solutions such as CCS and carbon offset schemes, and promote a real decline in fossil fuel consumption, production and investment while being grounded in principles of justice and equality.

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### **Our recommendations:**

- Make all submissions and contributions publicly accessible.
- Apply parameters (mentioned above) in order to determine whether a contributor and their submission aligns with the overarching goal of the conference.
- Outline a clear process for how and when contributions will be considered and included in the agenda-setting of the conference.

## **1.2.2 Fossil Fuel Lobbyism and Corporate Capture**

For decades, fossil fuel companies have succeeded in steering public and political debates away from the necessary fossil fuel phase-out and a just transition, including in the Netherlands.<sup>3</sup> Companies have been misinforming and deceiving policy-makers and the general public, praising false solutions<sup>4</sup> and blaming consumers for the climate crisis.<sup>5</sup> The IPCC has highlighted how large (fossil fuel) corporations obstruct effective climate policies.<sup>6</sup> Their political influence often outweighs that of those advocating for the protection of people, the climate, and human rights, delaying the fossil fuel phase-out and weakening necessary policies. For example, intense lobbying by major polluters and oil-producing countries led to a significant weakening of the CSDDD, including the removal of the climate transition plan obligation for companies.<sup>7</sup>

We have also seen this weakening of climate ambition and conflict of interest by fossil fuel lobbyists flooding COPs for years, severely harming progress at the international level.<sup>8</sup> At COP30, more than 1600 fossil fuel lobbyists were present, outnumbering the delegates from the ten most climate-vulnerable nations by two-thirds.<sup>9</sup> With an increase of 12% from the previous COP in Azerbaijan, this upward trend in corporate capture of climate talks by an industry whose interest goes directly against the goals is highly alarming.

The TAFF conference in Santa Marta cannot be yet another climate conference where fossil fuel lobbyists gain access to negotiations and shape the agenda. Therefore, organisers and national delegations should refrain from granting access to representatives of the fossil fuel industry, and decisively limit their influence on the agenda.

### **Our recommendation:**

Grant fossil fuel lobbyists no access to the Santa Marta conference and to subsequent conferences on a just phase out of fossil fuels. Santa Marta should set a different standard and ensure a government-led space focused on delivering a just and equitable transition.

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## 2. The Netherlands as EU Member State

**At a time of escalating climate impacts, profound geopolitical instability, and growing fragmentation, the European Union's ability to set out and implement a credible vision for climate and energy cooperation and a just and inclusive global transition away from fossil fuels is more critical than ever. The EU must send a strong political signal that it remains committed to the 1.5°C objective and to phasing out fossil fuels while accelerating a just and inclusive transition to 100% renewable energy and improved energy efficiency.**

As co-organiser of the TAFF conference and an EU Member State, the Netherlands is uniquely positioned to call on their EU partners to show clear leadership ahead of Santa Marta by taking the following steps:

- **Engage on the highest possible level**

Invited EU Member States should engage at the highest political level to ensure the conference carries the necessary credibility, and to reinforce the EU's role as a reliable partner internationally. The Colombia conference, as well as the subsequent TAFF conference in 2027, should be politically backed at the highest level by EU Member States, with sustained engagement and leadership.

- **Lead by example**

The EU has an opportunity to accelerate the global discussion on phasing out of fossil fuels by showing leadership before, during and after the conference in Colombia. Early constructive engagement from EU Member States in the Conference process, by acknowledging their responsibility as major emitters, and by committing to accelerate the EU's own domestic phase out pathway is critically important. Coal should be phased out no later than 2030, fossil gas no later than 2035 and oil at the latest by 2040. We are specifically calling for a strategy and commitment to phase out fossil gas, building on the significant gas demand reduction achieved in past years and on the RePowerEU regulation to phase out Russian fossil gas imports to the EU by 2027.<sup>10</sup>

- **Support transitions globally**

Equally important is supporting the global transition away from fossil fuels. In its Global Climate and Energy Vision (GCEV)<sup>11</sup> the EU commits to leading the worldwide shift to clean energy. Key elements needed to demonstrate genuine leadership include:

- Scaled-up financing and increased investment in adaptation and resilience in partner countries,
- Reform of global financial institutions and new innovative sources of non debt creating international climate finance including from the fossil fuel industry.
- Support EU business to help deliver the global challenge of industrial decarbonisation, prioritising emergence of and cooperation with green local businesses in partner countries and expansion of mutually beneficial partnerships.
- Pursuing a global just transition away from fossil fuels, that strengthens local value chains, including for raw materials, and ensures high environmental and social protections.

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- **EU Implementation of the Conference outcomes**

Former Climate Minister Hermans made a clear commitment to the Parliament that the conference outcomes would be brought to the Environment Council and the Energy Council for further deliberation and adoption.<sup>12</sup> We urge Minister Van Veldhoven to deliver on that commitment and advocate for strong support and EU wide implementation of the outcomes of the Conference. The engagement of the EU as an enabler of the subsequent conference and as a champion for a just transition away from fossil fuels at COP31 in Turkey will be of critical importance.

## 3. Recommendations on the 3 Pillars

### 3.1 Pillar I - Overcoming economic dependence

#### 3.1.1 Fiscal dependence and public debt

**Economic inequality is at the heart of the climate crisis, reflected in global disparities in energy access and consumption, unsustainable debt levels that trap Global South countries into extractivist development models, and higher borrowing costs for clean energy projects.**

Developing countries carry \$11.7 trillion in external debt - thirty times the investment needed to achieve universal electricity and clean cooking access. The Netherlands can champion various interconnected measures in Santa Marta to address these fiscal barriers to the fossil transition. Crucially, the fiscal space generated by these measures must be invested in ensuring universal access to clean energy, implementing just transition programmes, and ensuring women and girls, children and youth, Indigenous Peoples, and climate-vulnerable communities benefit fairly from the transition.

#### **Key recommendations:**

- Introduce Polluter Pays mechanisms, such as taxes on rich polluters, on fossil fuel corporations and on excess profits across different industries, to ensure those most responsible for the climate crisis contribute fairly to financing the transition. These measures are particularly urgent in the context of the energy crisis and massive windfall profits caused by the US and Israeli attacks on Iran.
- Lead on sovereign debt relief to address the shrinking fiscal space in Global South countries. Debt cancellation, fair restructuring, and a binding UN framework on sovereign debt<sup>13</sup> would help restore the fiscal space governments need to act on fossil fuels.

- Implement the phase out of fossil fuel subsidies, gradually and with robust social protections for low-income communities, to redirect public resources toward the transition. Frameworks for a phase out of fossil fuel subsidies should at least incorporate:
  - Definitions of subsidies (e.g. UNEP) expanded to include implicit subsidies (e.g. IMF)
  - Gradual removal of direct, indirect and implicit subsidies for production and consumption.
  - Just transition policies.
  - Flanking measures to protect consumers.
  - Redirecting subsidies to renewables and energy efficiency, just transition programs, social safety nets and international climate finance.
  - Public inventories of subsidies and phaseout plans.

### 3.1.2 Productive reconversion without creating new forms of extractivism

**A just transition away from fossil fuels must not reproduce the harmful extractivism it seeks to replace.**

#### **Key recommendations:**

- Establishing no-go zones for transition minerals that are essential to protect ecosystems, Indigenous Peoples' territories, and the rights of affected communities.
- Adopting binding due diligence rules grounded on human and environmental rights that can ensure Dutch imports do not fuel land grabs and human right abuses.
- Measure and reflect the true net emissions from burning forest biomass, a dangerous form of non-fossil extractivism, in relevant international and domestic carbon accounting efforts to prevent the expansion of high-emitting, extractive energy sources during the transition.
- Governments must empower local communities to participate in the imagining and design of a post-fossil economy, including by ensuring accessible grievance, feedback and remedy mechanisms for affected communities during the transition away from fossil fuels.

## 3.2 Pillar II - Transforming supply and demand for fossil fuels

**The Netherlands should plead for targeted, justice-centered policies that reshape both demand and supply, with supportive and restrictive policy measures; cutting with two hands of the scissor.<sup>14</sup>**

### 3.2.1 Transform supply of fossil fuels

Supply-side measures can directly limit fossil fuel availability and prevent long-term lock-in. These measures must ensure that the phase-out is both equitable and aligned with the remaining global carbon budget for limiting warming to 1.5°C.

### Key recommendations:

- No new (licenses for the) exploration and production of oil, gas and coal.
- Establish Fossil Free Zones through land-use planning, environmental and/or energy regulations to prioritise the protection of ecologically and culturally significant areas from further expansion and phasing out production.
- Planned phased-down and closure of fossil fuel extraction by setting national phase out timelines. Wealthy countries that have a high capacity to transition their economies away from fossil fuel dependence should reduce their production first and fastest, and support Global South countries according to their capacity and responsibility for historic greenhouse gas emissions.<sup>16</sup>
- Avoid false solutions like carbon capture offsets, or vague “net zero” promises, and focus on absolute emissions cuts by phasing out fossil fuel supply at the source.<sup>17</sup>
- Ensure a just transition for workers and communities with retraining and economic support, with a specific focus on women, youth and marginalised groups. Ensure employment guarantees for young people within a clean energy value chain.
- Ensure that departing companies act with due diligence and divest responsibly, including guaranteeing that companies exiting fossil fuel projects are legally bound to their asset retirement and safe decommissioning obligations, restore polluted ecosystems, and provide meaningful reparations, including fair compensation when relevant, to impacted communities, setting a global standard.<sup>18</sup>

## 3.2.2 Phase out drivers of demand for fossil fuels

**Cut fossil fuel demand by promoting sustainable alternatives for home energy, transport, and travel while taxing or completely phasing out luxury fossil fuel products and services (e.g., frequent flying, cruises, SUVs), which often are only accessible to wealthy nations in the Global North.**

A combination of behavioural change policy measures, like attractive alternatives, pricing and denormalising will contribute to phasing out fossil fuel demand. Our recommendations are based on TNO<sup>19</sup>, WWR<sup>20</sup>, PBL<sup>21</sup>, RLi<sup>22</sup> and WKR<sup>23</sup>:

### Key recommendations:

- Expand alternatives: invest in renewables, public transport, car sharing and the circular economy to reduce transition minerals demand.
- Denormalise fossil fuel products and services to phase out demand, to grow public support and open the door for other supply and demand side measures:
  - ban fossil advertising (i.e. ads for air travel holidays and cruise vacations, ads for vehicles with an internal combustion engine and fossil fuel home energy contracts)
  - mandate climate warnings at points of sale for flights and fossil-fueled vehicles and
  - create zero-emission zones in cities.

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## 3.3 Pillar III - Advancing international cooperation and multilateralism

### 3.3.1 Addressing implementation, cooperation and governance gaps

Despite clear scientific consensus on the need to phase out fossil fuels, current international frameworks remain insufficient. There is no comprehensive global instrument regulating fossil fuel production and use, ensuring corporate accountability, or operationalising differentiated responsibilities. As a result, obligations remain fragmented, fossil fuel expansion continues, and just transition pathways are weakly implemented. Santa Marta should be the starting point of an open and inclusive process that enables the exploration of all forms of international cooperation for a just and equitable transition away from fossil fuels, including initiatives complimentary to the Paris Agreement and a potential future treaty.

#### Key recommendations:

- Support the development of complementary international legally binding frameworks to enable a coordinated fossil fuel phase-out, including:
  - clear commitments to end fossil fuel expansion and progressively reduce extraction and use, with a particular focus on reducing demand in high consuming economies of the Global North; alignment of public and private finance to stop production of coal, oil and gas; ensuring corporate (climate) accountability to strengthen legal corporate mitigation obligations in line with 1,5C, to repair damages to people and the environment throughout projects' lifecycles, and to ensure funding the safe decommissioning of infrastructures; implementation of debt relief measures, provision of grant-based climate finance and technology transfer to enable leapfrogging in developing countries.
- Ensure an equity-based approach to the transition:
  - High-income and historically high-emitting countries lead in reducing production and consumption.
  - Fossil fuel-dependent and lower-income countries receive support for economic diversification and just transition.
- Accompany phase-out efforts with:
  - Ambitious renewable energy deployment.
  - Energy sufficiency and efficiency measures to curb overconsumption.

### 3.3.2 Remove international legal barriers, particularly those arising from investor–state dispute settlement (ISDS)

ISDS mechanisms in international investment treaties and contracts pose a major barrier to climate action and a just transition. ISDS allows fossil fuel companies to challenge climate policies and claim compensation when measures reduce the value of their assets. This creates regulatory chill, delays the fossil fuel phase-out, and undermines accountability for social and environmental harm.

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As a result, ISDS restricts national policy space and weakens international climate cooperation. Given its extensive network of investment treaties and its prominent role in facilitating ISDS cases, the Netherlands is well positioned to take leadership in addressing this barrier.<sup>24</sup>

**Key recommendations:**

- Actively promote and facilitate coordinated, international pathways to reduce and ultimately exit ISDS exposure, ensuring that discussions translate into concrete, multilateral action.
- Support the creation of a coalition of states willing to move away from ISDS by collectively committing to:
  - Implement a moratorium on ISDS in future treaties and contracts.
  - Work towards a multilateral instrument to terminate existing treaties and neutralise sunset clauses.
  - At the same time, the Netherlands should critically assess its own extensive network of investment treaties and longstanding role in ISDS practice, and take concrete steps to terminate or amend these treaties to eliminate ISDS.

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## Notes

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