

Research note nº 7

Business, Human Rights and Climate Justice

Flávia do Amaral Vieira

September 2025

Cláudia Alvarenga Marconi

Co-Director

Rafael de Souza Nascimento Miranda

Co-Director

Isabela Agostinelli dos Santos

Technical Staff

Funded by the European Union. Views and opinions expressed are however those of the author(s) only and do not necessarily reflect those of the European Union or the European Education and Culture Executive Agency (EACEA). Neither the European Union nor EACEA can be held responsible for them.

Address

Av. da Liberdade, 532 - Liberdade, São Paulo - Brazil

Contact Information

Call: +55 11 32722317

Email: europa@fecap.br

Instagram: [@jeanmonnetfecap](https://www.instagram.com/jeanmonnetfecap)

LinkedIn: <https://www.linkedin.com/company/coe-bhr/>

[www. Bhr.fecap.br](http://www.Bhr.fecap.br)

Introduction

From 22 to 26 September 2025, I visited the Jean Monnet Centre of Excellence on Business and Human Rights at FECAP (Fundação Escola de Comércio Álvares Penteado) in São Paulo, Brazil. The visit, carried out under the Visiting Scholar Program, provided an opportunity to engage with the community of faculty members, researchers, and students on the intersection of international law, transnational corporations, and human rights, with a particular focus on the climate agenda.

During my stay, I delivered three seminars. The first examined the historical development and contemporary state of the field of Business and Human Rights, tracing its emergence and the main normative and institutional developments that have shaped it. The second explored the relationship between business and human rights and the climate emergency, discussing the evolution of multilateral efforts to promote a just transition while addressing the urgent need for the decarbonisation of the global economy. The third seminar focused on the key issues under negotiation at COP30, the United Nations Climate Change Conference, which was held in the Brazilian Amazon for the first time in late 2025.

The discussions throughout the visit reflected the convergence of two major developments that have shaped international law and global governance over the past decades. On the one hand, significant progress has been made in advancing corporate accountability for human rights abuses. On the other, scientific evidence has firmly established the causal relationship between human activity, greenhouse gas emissions, and climate change, placing climate action at the centre of international policymaking. Together, these developments have driven negotiations on international treaties and conventions, informed the design of public policies, and fostered collaboration among states, businesses, academia, international organisations, civil society organisations, and social movements.

This intersection between business, human rights, and climate governance has shaped both my academic work and my practice in the field, through engagement with universities, international organisations, and non-governmental organisations, combining academic research with policy and advocacy work. Following the completion of my doctoral dissertation on the negotiations of the proposed United Nations legally binding instrument on business and human rights¹, my research agenda has increasingly become embedded within the broader field of Law and Development. In particular, I have examined struggles for socio-environmental rights in both the Amazon region and the international arena. More recently, these research interests have progressively converged around questions of climate justice, with particular attention to the role of business actors, international legal frameworks, and the governance challenges posed by the climate crisis.

This research note synthesises the main themes presented during the three seminars, examining both their points of convergence and their distinctive features. As will become clear across the following sections, a common thread runs through all three: the persistent gap between voluntary, soft-law commitments and enforceable obligations, and the central role of civil society and Global South mobilization in narrowing that gap. The concluding remarks return to this thread, drawing the three discussions together.

¹ Vieira, Flávia do Amaral. **Direito internacional em movimento: mecanismos de responsabilização de empresas transnacionais por violações de direitos humanos**. Orientador: Antonio Gomes Moreira Maués. 2021. 240 f. Tese (Doutorado em Direito) - Instituto de Ciências Jurídicas, Universidade Federal do Pará, Belém, 2021. Disponível em: <https://repositorio.ufpa.br/handle/2011/15487>.

International law in motion: investigating pathways to corporate accountability for human rights violations

As the opening session of the Visiting Scholar Program, this seminar provided a historical and critical introduction to the consolidation of the field now known as "business and human rights," while also establishing early connections between corporate accountability and the climate agenda. The presentation traced the evolution of international efforts to regulate the activities of transnational corporations, from Salvador Allende's 1972 address to the United Nations General Assembly, through successive institutional initiatives within the United Nations system—including the establishment of dedicated working groups and the adoption of the Guiding Principles on Business and Human Rights in 2011—to the ongoing negotiations toward a legally binding international instrument on business and human rights. It then turned to more recent developments in international climate law and jurisprudence, particularly the 2025 advisory opinions of international courts, which have introduced new interpretive parameters concerning corporate responsibilities and human rights due diligence in the context of the climate emergency.

The analysis took as its point of departure the year 1972, when Salvador Allende, then President of Chile, denounced for the first time before the UN General Assembly the role of transnational corporations in the destabilization of democratically elected governments — an episode that, months later, would precede the coup d'état in Chile and the implementation of the region's first neoliberal policies. Beyond its immediate political significance, Allende's speech can be read as an important historical marker in the emergence of international debates on the political power and accountability of transnational corporations. It also contributed to a broader mobilization of solidarity movements across the Global South and within the United Nations, where questions concerning corporate power, economic sovereignty, and the international regulation of transnational enterprises increasingly became objects of political contestation².

Building on this historical marker, the presentation traced the trajectory of what has come to be known as the "business and human rights agenda" within the United Nations, following the three-phase periodization proposed by Surya Deva³. The first spans the drafting of the Code of Conduct on Transnational Corporations (1970s–1990), an initiative of the UN Centre on Transnational Corporations that ultimately collapsed amid Cold War polarization and corporate resistance. The second corresponds to the "Norms" on the Responsibilities of Transnational Corporations (2003) and the parallel emergence of the Global Compact (1999–2000), reflecting a shift toward voluntary, market-oriented forms of corporate engagement. The third phase began in 2005 with the mandate of the Special Representative of the Secretary-General, John Ruggie, culminating in the adoption of the Guiding Principles on Business and Human Rights (the "Ruggie Principles") in 2011.

The Guiding Principles were adopted by consensus, a fact that underscores their character as a soft law instrument and their limited degree of enforceability. They are structured around three pillars: the State duty to protect, the corporate responsibility to respect, and access to remedy, and were accompanied,

that same year, by the creation of the UN Working Group on Business and Human Rights (Human Rights On Allende's speech and its critical interpretation within the field of international law, see: Hammouri, Shahd. Revisiting Allende's 1972 speech at the United Nations General Assembly: histories repeated with a twist. **TWAILR: Reflections**, n. 20, 2 June 2020. Available at: <https://twailr.com/revisiting-allendes-1972-speech-at-the-united-nations-general-assembly-histories-repeated-with-a-twist/>. Accessed on: 12 Aug. 2026.

Deva, Surya. Treating human rights lightly: a critique of the consensus rhetoric and the language employed by the Guiding Principles. In: Bilchitz, David; Deva, Surya (ed.). **Human rights obligations of business: beyond the corporate responsibility to respect?**. Cambridge: Cambridge University Press, 2013.

instrument and their limited degree of enforceability⁴. They are structured around three pillars: the State duty to protect, the corporate responsibility to respect, and access to remedy, and were accompanied, that same year, by the creation of the UN Working Group on Business and Human Rights (Human Rights Council Resolution 17/4), whose mandate includes promoting the effective and widespread dissemination and implementation of the Guiding Principles, among other functions, as well as conducting country visits.

Of particular relevance in this regard is the Working Group's visit to Brazil in 2015, which offered a notable case study. In its country visit report, the Working Group raised important points regarding the state of human rights protection in Brazil at the time, particularly with respect to large-scale infrastructure projects — such as the then-ongoing construction of the Belo Monte hydroelectric dam, marked by problems of corporate capture and violations of Indigenous peoples' rights, among other issues — as well as the role of agribusiness and the impacts of mega-events. The Working Group identified structural problems in the environmental licensing processes of these projects and expressed concern over the close relationship between private capital and public authorities in the country, criticizing the high degree of influence exerted by large corporations over decision-making processes and the formulation of legislation and public policy⁵. The Brazilian case therefore provides an important empirical lens through which to examine the limitations of a regulatory architecture that places significant responsibility on states while confronting forms of corporate influence that may themselves shape the regulatory environment, especially in the Global South.

These limitations also invite a broader reconsideration of the conventional historiography of international law. The role of empires, corporations, and transnational economic interests in the formation and development of international legal order has frequently been obscured by a classical conception of international law centered on sovereign states, conventionally associated with the post-Westphalian order. Critical approaches to international law challenge this state-centered account by drawing attention to the historical, political, and economic structures through which international law has been produced and applied. From this perspective, the fragmentation and depoliticization of regulatory regimes cannot be understood as merely technical features of international governance; they may also operate in ways that accommodate transnational capital and reproduce asymmetries between the Global North and Global South⁶.

Against this background, a parallel track has developed within the United Nations, one that has received comparatively less institutional attention and political investment. The emergence of the binding treaty agenda can be understood as a return to a more binding conception of corporate regulation, echoing the regulatory ambitions of the earlier UN Code of Conduct while also responding to the limitations of the consensus-based and predominantly non-binding architecture consolidated under the Guiding Principles. This renewed effort to establish international rules for corporate conduct gained institutional form in 2014, when the Human Rights Council adopted Resolution 26/9, establishing an Open-Ended Intergovernmental Working Group mandated to elaborate an international legally binding instrument on business and human rights. The initiative was strongly driven by states from the Global South, particularly

Vieira, Flávio da A. Resisting Corporate Capture: A Plaidoyer for a Binding Treaty from a Civil Society Perspective, *Völkerrechtsblog*, 23.06.2022, doi: [10.17176/20220623-153022-0](https://doi.org/10.17176/20220623-153022-0).

WGBHR (Working Group on Business and Human Rights) Report of the Working Group on the issue of human rights and transnational corporations and other business enterprises on its mission to Brazil, 2016, Disponível em: <https://undocs.org/A/HRC/32/45/Add.1>

Vieira, Flávio da Amaral. Para descolonizar o direito internacional: uma investigação sobre o papel das corporações. *Revista Culturas Jurídicas*, Niterói, v.8, n. 20, p. 650-684, 2021. Disponível em: <https://periodicos.uff.br/culturasjuridicas/article/view/52385>.

business and human rights. The initiative was strongly driven by states from the Global South, particularly Ecuador and South Africa, and received substantial support from civil society organizations and affected communities⁷. Over more than a decade of negotiations, however, the process has unfolded amid significant political and institutional tensions. Successive draft texts have raised questions concerning the treaty's substantive scope, the allocation of responsibilities between states and business enterprises, mechanisms of implementation and accountability, and, ultimately, the political conditions for its adoption.

At the same time, the pursuit of corporate accountability has increasingly extended beyond the multilateral treaty process. National legislation imposing human rights and environmental due diligence obligations, together with developments in domestic and international jurisprudence, has contributed to the gradual transformation of corporate responsibility from a predominantly voluntary normative expectation into an increasingly regulated legal obligation. The climate emergency has become particularly significant within this process, most notably through the growing convergence between human rights law, environmental law, and corporate accountability driven by climate litigation — a convergence recently reinforced by the 2025 advisory opinions of the Inter-American Court of Human Rights (Advisory Opinion OC-32/25) and the International Court of Justice. These developments provide new interpretive parameters for understanding the obligations of states—and, indirectly, the responsibilities and due diligence expectations applicable to corporate actors—in relation to climate-related human rights impacts.

Taken together, these developments suggest that the evolution of the business and human rights field has been shaped by inputs from multiple directions — from the design of public policy to litigation and international negotiations — and has been especially propelled by the struggle of social movements and civil society. This trajectory should not be read as a linear process of institutional consolidation. Rather, it reflects an ongoing struggle over the allocation of responsibility and authority within the international legal order: between states and corporations, between voluntary and mandatory forms of regulation, and between communities affected by corporate activities and the actors that benefit from them. The trajectory from Allende's intervention at the United Nations to the Guiding Principles, the treaty negotiations, and the emerging climate jurisprudence thus reveals a continuing process of contestation over the legal and political conditions under which transnational corporate power can be held accountable. Civil society mobilization and the experiences of affected communities remain central to this process, not only as sources of political pressure but also as important drivers of the normative development of international law.

Connecting Business and Human Rights within the context of the climate emergency: perspectives on a just energy transition

The second seminar examined the tensions between the expansion of the low-carbon energy transition and the human rights of communities in the Global South, taking the concept of a just transition as its

⁷ Vieira, Flávio de Amaral. The struggles for corporate accountability in the UN: a Global South perspective. In: Ananthavinayagan, Thamil Venthan; Shenoy, Aparajita Viswanath (ed.). **The wretched of the Global South: International Law and the Global South**. Singapore: Springer, 2024. Available at: https://doi.org/10.1007/978-981-99-9275-1_12.

central analytical framework.

The discussion situated these tensions within the broader context of the climate crisis and the structural role of the energy sector in driving global greenhouse gas emissions. Energy production and consumption account for approximately 75% of global greenhouse gas emissions⁸, making the expansion of renewable energy and the extraction of critical minerals for the so-called “green economy” central to contemporary climate policy and increasingly to climate litigation. Yet, while these processes are essential to decarbonization, their expansion can also reproduce existing patterns of socio-environmental inequality, generating new forms of dispossession and contributing to human rights violations affecting local and Indigenous communities that have historically been excluded from decision-making processes, particularly in the Global South. It is precisely this tension—between the urgency of decarbonization and the distribution of its social, environmental, and human rights costs—that provides the basis for the just transition framework.

Climate justice provides the ethical and normative framework through which these tensions can be understood, insofar as it recognizes that the causes, impacts, and responses to climate change are unequally distributed across social groups, territories, and generations. Within the energy sector, this framework finds concrete expression in the principle of just transition, which was consolidated through the work of the International Labour Organization and incorporated into the preamble of the Paris Agreement. The principle calls for decarbonization to proceed in a socially inclusive manner, protecting workers, communities, and territories affected by the transition while ensuring their meaningful participation in decision-making processes⁹. Understood in these terms, the imperative of a just transition extends beyond the mere reduction of greenhouse gas emissions. It requires addressing, simultaneously, the structural socio-environmental inequalities embedded in patterns of energy production, distribution, and access, as well as the differentiated impacts that energy projects have on territories and communities. A just transition therefore entails expanding access to clean energy while preventing new projects from reproducing existing inequalities or imposing disproportionate social and environmental costs on local populations.

The genealogy of the just transition concept is rooted in the labour movement of the 1980s, where it emerged as a strategy for protecting workers’ rights in the context of the closure and restructuring of high-emission industries¹⁰. The concept entered the UNFCCC process through the Cancún Agreements (2010), initially in connection with the protection of the workforce, and was subsequently incorporated into the preamble of the Paris Agreement (2015), which recognizes “the imperatives of a just transition of the workforce and the creation of decent work and quality jobs.” Its political and institutional significance was further reinforced by the Solidarity and Just Transition Silesia Declaration, adopted at COP24 in 2018, and by the establishment of the Just Transition Work Programme at COP27 in 2022. Despite this growing institutional recognition, however, the concept remains under construction and open to competing interpretations—including formulations such as “just transition,” “popular transition,” and “sovereign transition.” This conceptual plurality reflects an unresolved tension between the imperative to protect workers and communities affected by the transformation of carbon-intensive economies and the absence

⁸ International Energy Agency (IEA). **The energy sector is central to efforts to combat climate change**. Disponível em:

<https://www.iea.org/spotlights/the-energy-sector-is-central-to-efforts-to-combat-climate-change>.

⁹ Korber Gonçalves, Verônica; Klinksy, Sonja; Medeiros Rocha Frasson, Caroline et al. **The Just Transition Compass: a framework for action and international coordination**. [S. l.]: Climate Strategies; LACLIMA, nov. 2025. Disponível em: https://4ae9350a-5bc1-4b81-99b5-2862a5800610.filesusr.com/ugd/2b2c0f_1edad0654b3c4f179b7a3e92e9c4df8b.pdf

¹⁰ Korber Gonçalves, Verônica; Klinksy, Sonja; Medeiros Rocha Frasson, Caroline et al., op. cit.

of sufficiently robust regulatory frameworks capable of translating these commitments into enforceable obligations applicable to the transnational corporations involved in implementing the energy transition.

The relationship between just transition and business and human rights further exposes these tensions. The expansion of renewable energy infrastructure and the extraction of critical minerals may generate significant risks of human rights violations, including through land dispossession, impacts on Indigenous peoples and local communities, labor rights violations, and the unequal distribution of environmental burdens. At the same time, the sustainability agenda has created new opportunities for forms of corporate legitimization such as greenwashing, while the so-called “decarbonization consensus” may enable existing patterns of capital accumulation to persist under the banner of climate action. From this critical perspective, the transition risks reproducing a geography in which the costs of decarbonization are disproportionately externalized onto territories in the Global South, effectively transforming some of them into “sacrifice zones”¹¹. Such dynamics raise a fundamental question concerning the distributive dimensions of the sustainability agenda: who bears the costs of decarbonization, who benefits from the emerging green economy, and whose interests are represented in the processes through which transition policies and projects are designed and implemented?

These tensions point to an important regulatory gap between international climate governance and the emerging frameworks of corporate accountability. While the former has increasingly incorporated principles of justice, participation, and social inclusion, many of its instruments remain grounded in soft-law commitments and voluntary forms of implementation. Conversely, the business and human rights field has developed increasingly sophisticated mechanisms for articulating corporate responsibility, but has yet to establish a comprehensive and binding international framework capable of addressing the specific corporate dimensions of the energy transition¹². Bringing these fields into dialogue is therefore essential to understanding whether decarbonization can proceed without reproducing the structural inequalities embedded in existing systems of energy production and consumption, and whether corporate actors can be effectively held accountable for the human rights and socio-environmental consequences of the transition.

COP30 and the Amazon: challenges ahead and pathways under construction

The third seminar examined the historical role of Brazilian Foreign Policy (BFP) in international climate conferences and the challenges and opportunities that COP30, to be hosted in the Amazon later that year, posed for Brazil. As the seminar took place ahead of the conference, in September 2025, the discussion reflected the expectations and open questions that characterized that particular moment in the lead-up to Belém. An earlier and more extensive version of the discussion developed in this section was published as a book chapter, which the presentation drew upon and updated¹³.

¹¹Bringel, Breno; Svampa, Maristella. Del Consenso de los Commodities al Consenso de la Descarbonización. **Nueva Sociedad**, n. 306, p. 51-70, 2023.

¹²Vieira, Flávia do Amaral. **Breaking corporate capture: the crossroads of just transition**. Manuscrito inédito, 2026.

¹³ Vieira, Flávia do Amaral. Da Rio 92 à COP da Amazônia: o Brasil e as conferências internacionais do clima e meio ambiente. In: Rocha, Caroline; Castro, André (org.). **COP 30: a Amazônia no centro da governança climática**. São Paulo: LACLIMA; Rede Amazônidas pelo Clima (RAC), 2026. Disponível em: <https://www.laclima.org/publicacoes/e-book-cop-30%3A-a-amaz%C3%B4nia-no-centro-da-governan%C3%A7a-clim%C3%A1fica>

The trajectory of Brazilian environmental diplomacy can be traced from the Stockholm Conference (1972) and the Rio-92 Earth Summit—a foundational milestone in the development of the contemporary global environmental and climate regime, marked by the adoption of the UNFCCC, the Convention on Biological Diversity, and the Convention to Combat Desertification—through the Rio+20 Conference (2012) and Brazil's prominent role in key moments of the climate negotiations. These included the establishment of the distinction between Annex I and non-Annex I countries under the Kyoto Protocol (1997), the announcement of Brazil's National Policy on Climate Change at Cancún (2010), and the commitment to an absolute emissions reduction target under the Paris Agreement (2015).

This diplomatic engagement was significantly altered between 2019 and 2022, when Brazil retreated from its previous engagement with the international climate agenda, a shift reflected domestically in the dismantling of environmental governance and record-high deforestation levels¹⁴. From 2023 onward, this orientation was substantially reversed through the resumption of a more active climate diplomacy, marked by the relaunch of the PPCDam (Action Plan for the Prevention and Control of Deforestation in the Legal Amazon), the reestablishment of the Amazon Fund—which had been abolished under the previous administration—and the announcement of the Amazon Summit and COP30¹⁵.

The renewed agenda, however, unfolded against the backdrop of persistent contradictions within the Amazonian region itself. Chief among these is a paradox of energy: although the Amazon generates approximately 26% of Brazil's hydroelectric output, the region continues to experience chronic energy poverty, illustrated by the 2020 statewide blackout in Amapá. Deforestation, in turn, remains heavily concentrated: according to data from the Greenhouse Gas Emissions and Removals Estimating System (SEEG), nine of the eleven Brazilian municipalities with the highest carbon emissions are located in the Amazon¹⁶. These tensions are compounded by persistent land conflicts and a development model historically dependent on commodity production and exports.

The Amazon thus occupies a paradoxical position within the climate agenda: while globally recognized as one of the planet's most important carbon sinks, the region remains internally marked by structural inequalities, forms of internal colonialism, and the historical marginalization of Indigenous peoples and traditional communities¹⁷. This paradox is compounded by a further dimension of invisibility. Although the Amazon is often represented internationally as an immense and largely untouched forest, most of its population lives in urban areas, a demographic reality that remains largely absent from dominant international representations of the region and, at times, from the design of climate and development policies themselves. The tension between these representations and the region's social and political reality is particularly relevant when climate governance is geographically relocated to the Amazon, since the symbolic presence of the forest does not necessarily translate into the political visibility of the populations who inhabit it.

¹⁴ Observatório do Clima. **1000 dias de destruição**: como Jair Bolsonaro se tornou o negacionista climático mais perigoso do mundo. [S. l.]: Observatório do Clima, 2021. Disponível em: <https://www.oc.eco.br/brasil-1-000-dias-de-destruicao-2>

¹⁵ Horn, Claudia. **O Fundo Amazônia**: caminhos para a inclusão social. [S. l.]: Friedrich-Ebert-Stiftung (FES), mar. 2023. Disponível em: <https://library.fes.de/pdf-files/bueros/brasilien/20254.pdf>

¹⁶ Observatório do Clima. **SEEG 10 anos**: análise das emissões e suas implicações para as metas climáticas do Brasil 1970-2021. [S. l.]: Observatório do Clima, 2023. p. 3. Disponível em: <https://seeg.eco.br/wp-content/uploads/2023/03/SEEG-10-anos-v4.pdf>

¹⁷ do Amaral Vieira, F., & Albuquerque, L. (2025). Perspectivas críticas sobre neodesenvolvimentismo e a Amazônia. **Revista Direito, Estado e Sociedade**, (66). <https://doi.org/10.17808/des.1611>

Against this background, the decision to host COP30 in Belém do Pará—the so-called “Forest COP”—was anticipated as an opportunity to place Global South priorities and civil society participation more centrally within the multilateral climate negotiations. Alongside the climate targets Brazil had announced at the time—including ending illegal deforestation by 2028, restoring 18 million hectares of forest, and expanding the share of renewable sources in the national energy matrix—the debate also focused on the risks associated with the Amazon’s so-called “tipping point,” understood as the threshold beyond which the biome could lose its capacity to sustain its own hydrological cycle. At the time of the seminar, however, particular emphasis was placed on the fact that hosting the COP in the region would not, in itself, guarantee meaningful participation by Amazonian peoples. Civil society organizations, both local and national, were actively mobilizing for genuine spaces of engagement ahead of the conference, particularly in contrast to the three preceding COPs, held in states where authoritarian governance had restricted freedom of expression and protest and, according to observer organizations, limited the participation of social movements.

This mobilization was already taking shape through initiatives such as the planned Peoples’ Summit, to be hosted at the Federal University of Pará and organized independently by more than 500 civil society organizations, as well as through the creation of a Peoples’ Circle within the official Brazilian delegation, led by Minister Sônia Guajajara. Indigenous organizations such as COIAB and APIB likewise called for greater protagonism in accreditation and negotiation spaces within the Blue Zone. At the same time, criticisms of Belém as a host city were frequently framed through structural stereotypes about Amazonian cities and reflected a broader history of concentrating strategic decision-making and political authority in Brazil’s established centers of power. Against these narratives, local civil society, particularly in Belém, had strengthened its own organizing capacity in preparation for the conference, seeking to ensure that local perspectives would inform both the preparatory process and the negotiations themselves.

Writing after the conclusion of COP30 makes it possible to revisit these expectations in light of the conference’s actual outcomes¹⁸. The central negotiated outcome, the so-called “Mutirão Decision,” established three principal pillars: the Global Implementation Accelerator, a voluntary and facilitative initiative aimed at supporting the implementation of Nationally Determined Contributions and national adaptation plans; the “Belém Mission for 1.5°C,” intended to advance ambition and mobilize cooperation and investment through 2035; and a two-year work programme on climate finance addressing Article 9.1 of the Paris Agreement. The roadmaps on halting deforestation and transitioning away from fossil fuels proposed by the Brazilian presidency were not incorporated into the formal decisions. Instead, they were announced as political initiatives to be pursued over the following year, leaving some of the most politically contentious dimensions of the energy transition—including tensions between conservation commitments and continued fossil fuel expansion—outside the negotiated outcome.

COP30 nevertheless produced concrete advances in the institutionalization of just transition. The conference adopted a decision establishing, for the first time, an institutional mechanism to strengthen international cooperation, technical assistance, and capacity-building for equitable and inclusive transitions, with further operationalization scheduled for the intersessional meetings in Bonn (SB 64) in mid-2026. In parallel, the long-awaited Belém Adaptation Indicators were approved under the Global Goal on Adaptation, concluding the UAE–Belém Work Programme initiated at COP28. The final

framework reduced the original set of proposed indicators to 59 and established the “Belém–Addis Vision,” a two-year technical and political process to refine their methodologies and metadata.

Taken together, these outcomes position Belém as a significant, although incomplete, inflection point in the implementation of the Paris Agreement. The conference strengthened the institutional visibility of just transition and adaptation while leaving core disputes over climate finance, trade measures, and the pace of the fossil fuel phase-out unresolved for future negotiating cycles. In this respect, the outcomes partially confirm the concerns and expectations that shaped the debate preceding COP30. The emphasis placed on civil society participation and Global South leadership found some institutional expression in the conference’s broader agenda, while the persistence of unresolved disputes over finance, trade, and fossil fuels demonstrates the limits of this shift. At the same time, the tensions between conservation commitments and continued fossil fuel expansion illustrate the structural contradictions that continue to shape Brazil’s climate diplomacy. The institutionalization of just transition and adaptation should therefore be understood not as evidence of a completed transformation of the multilateral climate regime, but as part of an ongoing process of political contestation in which civil society, Indigenous peoples, and Global South actors continue to shape the boundaries of what can be negotiated within the regime.

Concluding remarks: connecting the three seminars

Although each seminar addressed a distinct dimension of the relationship between business, human rights, and the climate emergency, together they trace a single underlying trajectory: the gradual, uneven, and still incomplete movement from voluntary commitments toward enforceable obligations within international law. In the field of business and human rights, this movement is visible in the tension between the consensus-based, non-binding character of the Guiding Principles and the ongoing, Global- South-led negotiations toward a binding treaty. In climate governance, the same tension reappears in the persistent reliance on soft-law instruments — from the preambular recognition of just transition in the Paris Agreement to the voluntary architecture of the Mutirão Decision and the newly created just transition mechanism adopted at COP30. In both fields, formally non-binding commitments have nonetheless generated real normative effects, informing domestic legislation, shaping jurisprudence, and providing civil society with a growing repertoire of standards against which to hold states and corporations accountable.

A second connecting thread concerns the role of civil society mobilization and Global South agency as the principal drivers of these developments. Just as affected communities and social movements were central to the emergence of the business and human rights agenda — from Allende’s 1972 address to the leadership of Ecuador and South Africa in the binding treaty negotiations — a comparable dynamic underpinned the preparations for COP30, materialized in the Peoples’ Summit, the Peoples’ Circle, and the sustained advocacy of Indigenous organizations such as COIAB and APIB. The recurrence of this pattern suggests that the normative development of both fields depends less on the initiative of states or corporations than on the sustained pressure exerted by those most directly affected by corporate conduct and by the climate crisis.

Finally, the Amazon itself functions as an empirical space in which these two agendas concretely intersect. The 2015 visit of the UN Working Group on Business and Human Rights to Brazil, discussed in the first seminar, identified the Belo Monte hydroelectric dam as a paradigmatic case of corporate capture and Indigenous rights violations — a case that also anchors my own earlier research. The same tensions, examined through the lens of a just transition in the second seminar, resurface in the third seminar's discussion of the Amazon's structural contradictions: energy poverty amid abundant hydroelectric production, land conflicts, and a development model still dependent on commodity extraction. Read together, the three seminars suggest that advancing corporate accountability and delivering a genuinely just transition are not separate undertakings, but interdependent conditions for a climate regime capable of addressing, rather than reproducing, the inequalities that continue to define Global South's position within international law.

ABOUT THE AUTHOR

Flávia Vieira is currently a Climate Policy Coordinator at LACLIMA and a Research Fellow at the Washington Brazil Office (Internationalisation of Environmental Defence). She holds a PhD in Law and brings over ten years of experience across research institutions, international organizations, and civil society, with expertise in legal research, climate policy, and environmental governance. Her academic and research experience includes research visits to Birkbeck School of Law, the International Institute for the Sociology of Law in Oñati, American University, and PUC-Rio. Her previous roles include Senior Researcher at Plataforma CIPÓ, Fellow Researcher at Tilburg University, and consultant for ILO, UNESCO and UNDP. She is the author of *Direitos Humanos e Desenvolvimento: o caso de Belo Monte* (Appris, 2021) and *O direito à consulta e consentimento livre, prévio e informado no estado do Mato Grosso* (Opan, 2022).

