NOVEMBER 2026

ClientEarth

A sustainable and just energy transition: turning commitments into action through the law

COP31 Briefing



Climate action through the law



Foreword from ClientEarth CEO, **Laura Clarke**

Energy makes modern life possible. It heats homes, powers hospitals, transports food and vital resources and connects people to work, education and each other.

People want an energy system that is reliable, affordable and built to last. They want cleaner air, lower bills and protection from energy crises and climate impacts that disrupt daily life and undermine economic stability.

This better system is within reach. Renewable energy is now the cheapest source of new electricity in much of the world, electrification is transforming transport, heating and industry, and energy efficiency efforts and innovation are further lowering the environmental and social impacts from energy generation and use.

But this progress will be undermined if we continue to expand fossil fuel extraction. The choices made today will shape the energy people rely on for decades to come – and determine whether we succeed in preventing catastrophic warming of our planet.

Law has a critical role to play in charting a path to a better energy system. Legal frameworks set policy direction, direct investment, set environmental safeguards, and provide accountability when international commitments are not matched by action at home. Environmental rights help to secure meaningful public participation in policy-making, building trust and support for action, and delivering fairer, more creative and durable solutions to shared challenges.

At COP31, states must build on the UAE Consensus, the COP30 roadmaps, and the outcomes from Santa Marta. The multilateral system must accelerate the transition away from fossil fuels and help secure a prosperous, healthy and liveable future for all.

Laura Clarke OBE
Chief Executive Officer, ClientEarth

Climate action through the law

Fossil fuels: structural flaws in the global energy system

Energy is a vital part of the everyday lives of people across the world. How it is supplied and used shapes our wellbeing, our communities, our economies, and ultimately our prosperity.

We live in a world still very reliant on fossil fuels for our energy needs[1] and where almost three quarters of the world's population live in fossil fuel-importing countries.[2] For good and bad: fossil fuels have had a transformative impact on people and the world around us. However, it is time to draw a line: **fossil fuel dependence is undermining lives, livelihoods and national security, as well as narrowing the window of opportunity to secure a liveable future for all.** Choices made today lock-in consequences for generations to come.

Fossil fuel markets and energy systems are highly volatile, politicised, and conflict-prone: exposing us to repeated energy crises since the 1970s, and promising existential challenges in the years to come if emissions continue to increase on the current trajectory. More recently, in 2022, the Russian invasion of Ukraine saw global gas and oil prices reach record highs and supply disruption plunged Europe into an energy crisis.[3] This has been further exacerbated in 2026 by ongoing disruption to oil and gas flows through the Strait of Hormuz and the Bab-Al-Bandab Strait[4] caused by the war in the Middle East – leading to what the International Energy Agency (IEA) calls, "*the largest supply disruption in the history of the global oil market*" and "*the greatest threat to global energy security in history.*"[5]

Multiple fossil fuel chokepoints combined with escalating geopolitical volatility highlight a structural flaw in the global energy system. Disruptions cascade into complex supply chains, food systems, finance and financial markets placing significant pressure on individuals, communities, public services, governments, the private sector and economies worldwide. Even fossil fuel exporting countries are not immune: they may still depend on imports of specific fossil fuel products; their domestic prices are similarly exposed to the international markets; and assets risk becoming stranded over time.[6,7]

Intersecting with fossil fuel volatility is the fact that fossil fuels are a principal driver of the triple planetary crisis.[8] We are already feeling the effects of climate change, pollution and biodiversity loss through impacts such as: increased cost of living; food insecurity; water scarcity; extreme weather causing irreparable damage to homes and infrastructure; loss of livelihoods and economic activity; poor health and quality of life, and hundreds of thousands of lives lost.[9,10]

1 IEA (2026), Greenhouse Gas Emissions from Energy Data Explorer, (accessed 29.10.26).
2 Ember (2025), Three facts that show how solar and wind strengthen energy security, (accessed 29.10.26).
3 IEA, Russia's War on Ukraine: Analysing the impacts on energy markets and energy security, (accessed 29.10.26).
4 CNN Business (2026), The Bab al-Mandeb Strait, a lifeline for the global economy, is in jeopardy, (accessed 29.10.26).
5 IEA, Key facts on the Strait of Hormuz, oil and gas markets, and the IEA's response, (accessed 29.10.26).
6 Ibid.
7 IRENA (2019), A New World: The Geopolitics of the Energy Transition.
8 OECD (2025), Environmental Outlook on the Triple Planetary Crisis.
9 UNFCC (202), What is the Triple Planetary Crisis?, (accessed 29.10.26).
10 Barnes, C. et al. (2026), Heat-related urban mortality attributable to human-induced climate change in Europe from 2000 to 2025, Nat. Health.

Environmental collapse itself drives social and political instability, geopolitical conflict, and trade disruptions, creating a vicious cycle that is expected to play out increasingly over the coming years.

More fossil fuel supply and use will only worsen these harmful dynamics.

More than two thirds of people around the world say that climate change is already impacting big life decisions around where they live and work and what they buy, particularly in less developed countries. However, less than half think that their country is doing well in tackling climate change – dropping further to 39% when it comes to big businesses. **The vast majority (80%) want stronger climate commitments, with 72% wanting to see their country move quickly away from fossil fuels and on to clean energy** – this support holds true even in most of the biggest fossil fuel producing countries, including Brazil, Canada, China, Germany, Nigeria and Saudi Arabia.[11]

The only route to resilience from both climate disruption and energy crises is to reduce dependence on fossil fuels by:

1. Stopping all new fossil fuel extraction projects.
2. Delivering a transition away from fossil fuels and towards a cleaner and more resilient renewables-based, electrified energy system.
3. Making the transition secure and equitable for people and communities through applying a planetary boundary approach and demand-side measures.

11 UNDP (2024), People's Climate Vote.



How the law helps

> "Successful action against climate change requires a legal basis."[12]

Setting goals and responsibilities through legal frameworks

The law provides a critical foundation for climate and energy security. Stable, enforceable legal frameworks provide the certainty needed for investment, resilience, and long-term security. **No one is above the law.**

At the international level, the Paris Agreement[13] – which entered into force in 2016 as the legally binding framework for state cooperation on climate change mitigation and adaptation – sets out collective goals and mechanisms for Parties to contribute to their achievement. Its overarching goal is to hold "the increase in the global average temperature to well below 2°C above pre-industrial levels" and pursue efforts "to limit the temperature increase to 1.5°C above pre-industrial levels."

International law has now strengthened this imperative. The International Tribunal for the Law of the Sea, the International Court of Justice (ICJ), the Inter-American Court of Human Rights and the European Court of Human Rights have clarified that States have binding obligations to prevent climate harm and protect people from foreseeable risks – in particular by confirming the 1.5°C threshold as the primary temperature goal under the Paris Agreement in response to the best available science from the International Panel on Climate Change.

The adoption of the UN General Assembly's resolution earlier this year following the ICJ Advisory Opinion confirms that climate action is not just a political choice, but also a legal duty.[14] Governments must now translate these international duties into domestic legislation, including regulatory reform, enforcement, and public investment decisions.

Climate laws make domestic climate governance easier[15] and "are adopted by government for government".[16] Their development can help increase buy-in if the public and other stakeholders, who can otherwise make or break policy goals, are effectively engaged.[17,18] Their implementation provides stability and clarity for long-term policy-planning and action – and have been found to achieve effective emissions reductions, thus **increasing the prospects of fulfilling Paris Agreement objectives.**[19]

12 Eskander, S.M.S.U. et al. (2021), Global lessons from climate change legislation and litigation, Environmental and Energy Policy and the Economy 2:44-82.

13 UNFCCC, The Paris Agreement, (accessed 29.10.26).

14 UN News (2026), General Assembly backs historic World Court climate crisis ruling, (accessed 29.10.26).

15 ClientEarth (2023), From stocktake to taking action: Using the power of the law to respond to the climate crises.

16 Duwe, M. and Evans, N. (2020), Climate Laws in Europe: Good Practices in Net-Zero Management.

17 Ibid.

18 World Bank (2020) World Bank Reference Guide to Climate Change Framework Legislation. Equitable Growth, Finance and Institutions Insight - Governance.

19 IPCC (2023), Climate Change 2023: Synthesis Report. Contribution of Working Groups I, II and III to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change.

Strengthening climate policy and action through environmental rights and participation

The transition away from fossil fuels will only succeed if people are meaningfully involved in shaping it. Participation is not only a fundamental right; it builds stronger public trust and support.[20] Early and effective participation helps identify potential concerns and conflicts of interest before decisions are taken, resulting in stronger, more creative and durable solutions to complex challenges. **Participation and access to information are also among the most effective tools available to decision-makers to counter the growing spread of climate disinformation**, which can otherwise distract, delay, and derail climate action by public authorities.[21]

Governments must move beyond closed door policy making or ad hoc consultations and establish permanent mechanisms for local communities and civil society to actively participate in energy and climate governance, such as through permanent seats on advisory and oversight bodies.[22] Draft laws, policies and plans should be made public at an early stage, while options are still open. Public authorities should provide clear and accessible information, meaningfully consider public input and explain how this has informed final decisions.

Particular efforts should be made to ensure the participation of underrepresented groups, including women, older people, people with disabilities, migrants, Indigenous Peoples and low-income communities.[23] **Environmental defenders, climate activists and civil society organisations must be able to raise concerns and participate in public debate without fear of intimidation, harassment, retaliation or abusive legal action.** Silencing them comes at an enormous cost, not only to society as a whole but also to policymakers, depriving the latter of valuable expertise, local knowledge and the public trust needed to deliver a successful energy transition. Climate and energy commitments lose credibility when the people working to advance them are silenced, excluded or detained. Credibility is essential for policy delivery. Protecting civic space and environmental defenders is therefore essential to a fair, democratic and effective energy transition.

The Aarhus Convention

The 1998 Aarhus Convention[24] enshrines the public's right to access environmental information, public participation in environmental decision-making, and access to justice.

It recognises that by giving these fundamental rights to individuals and NGOs to protect the environment, governments make better decisions and there is better public acceptance of environmental standards and policies.

In 2021, following a failure by the EU to properly implement access to justice obligations after adopting the Convention in 2005, ClientEarth finally won a decade-long fight to ensure individuals and NGOs are able to challenge decisions of EU institution before EU courts.[25]

20 See among others: ClientEarth (2021) Global climate laws falling short on reducing emissions; Dryzek, J.S., Niemeyer, S. (2019), Deliberative democracy and climate governance, Nat Hum Behav 3, 411–413; Duvic-Paoli L-A. (2022), Re-imagining the Making of Climate Law and Policy in Citizens' Assemblies. Transnational Environmental Law. 2022;11(2):235-261; Accogli, A., et al. (2025). Improving public participation for climate action and resilient democracy in the European Union. RETOOL Policy Brief; Oberthür, S., et al. (2025). Public participation in EU climate governance: the underexploited potential of national energy and climate plans. Journal of European Integration, 47(2), 257–276.

21 See: Global Initiative for Information Integrity on Climate Change (2025), Declaration on Information Integrity on Climate Change, (accessed 29.10.26); UN Secretary General (2024), Promotion and protection of human rights in the context of climate change.

22 İklim Ağı (2026), What Kind of COP31 Presidency Does Climate Network Türkiye Call For?, (accessed 29.10.26).

23 OHCHR (2019), A/HRC/40/55: Issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment - Report of the Special Rapporteur.

24 UNECE, Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters.

25 ClientEarth (2021), We've won the right for everyone to take the EU to court.

Ensuring effective climate action through the implementation and enforcement of existing legal frameworks

Policy decisions by legislators, technological developments, private sector activity, investment patterns, consumer behaviour and public support are key drivers of the transition away from fossil fuels and towards clean energy. But **there is no governance without law – provided it is effectively implemented and enforced.** Failure to do this undermines the rule of law and hinders governments' ability to protect the short and long-term interests of the public and of future generations.

Individuals, communities and civil society are **increasingly holding governments to account** for failing to abide by or uphold agreed rules or legally-binding commitments.[26] **Climate litigation is a pathway to the achievement of the Paris Agreement goal and targets** by: clarifying the framework for policy decisions; compelling decision-making in line with internationally agreed goals and strategic autonomy alike – reflecting the interconnection between decarbonisation and resilience; and requiring governments to set long-term climate targets, draw up effective plans to meet these targets and protect people from harm, and avoid permitting long-lived fossil fuel supply, for example.

Litigation is also fulfilling a key role in **holding private companies to account** over efforts to perpetuate fossil fuel demand (and thereby supply): from building new fossil fuel infrastructure or producing harmful fossil fuel goods to greenwashing or allegedly anti-competitive conduct. Courts are increasingly being asked under national tort laws[27] to order the highest emitting private companies to reduce the harms or costs they are causing by reducing their emissions, or to compensate individuals or communities for the damage their emissions causes.[28] **Litigation is how justice is visibly done, bolstering the fairness of climate action.**[29]

26 Setzer, J. et al. (2026), Global trends in climate change litigation: 2026 snapshot, LSE Global School of Sustainability.

27 Tort law outlines how those affected by a civil wrong that causes harm or loss to an individual, either deliberately or accidentally can seek compensation and puts the liability onto those responsible.

28 Setzer, J. et al. (2026), Global trends in climate change litigation: 2026 snapshot, LSE Global School of Sustainability.

29 Climate Just, Why does climate justice matter?, (accessed 29.10.26).



Legal responses for a sustainable and just energy transition

Governments and world leaders have explicitly acknowledged the need to transition away from fossil fuels and to a cleaner energy system – most recently through the UN General Assembly's adoption of the resolution "Advisory opinion of the International Court of Justice on the obligations of States in respect of climate change."[30]

Despite this, according to the latest 'Production Gap' report **"[g]overnments, in aggregate, still plan to produce more than double the amount of fossil fuels in 2030 than would be consistent with limiting warming to 1.5°C."** This "puts a well-managed and equitable energy transition at risk."[31]

There are many drivers of this dependence. Fossil fuels are currently significantly more profitable than renewables for energy majors and producer nations in the short-term, especially when energy crises drive prices up and subsidies skew the market, so there is little incentive for them to change course. The promotion and use of 'fossil-dependent' decarbonisation strategies – like hydrogen and 'Carbon Capture, Use and Storage' – also increases inertia around fossil fuel-based systems, extending their use and delaying or derailing the adoption of cleaner energy technologies and measures. Growth in energy-intensive sectors (from digitalisation and artificial intelligence to transport and petrochemicals), together with continued public and private subsidies for fossil fuels, drives persistent and increasing global fossil fuel demand. In addition, as fossil fuel development is infrastructure heavy, decisions made today to invest in their continued or increased use trap countries into fossil-based systems for decades after – as we are already seeing.

The success of efforts to move on from fossil fuel dependency urgently requires countries to stop getting further locked-in and, instead, focus on delivering a secure and equitable transition to a renewables-based, electrified energy system.

No more new fossil fuel extraction projects

The best available science shows that remaining carbon budgets leave no room for new fossil fuel extraction projects and that approved projects must be cut by 60% if the 1.5°C goal is to remain within reach.[32]

Stopping any more new fossil fuel extraction projects is, therefore, a logical and urgent step to take as part of the transition towards a cleaner energy system.

30 UN News (2026), General Assembly backs historic World Court climate crisis ruling, (accessed 29.10.26).

31 SEI, Climate Analytics, & IISD. (2025), The Production Gap Report 2025. Stockholm Environment Institute, Climate Analytics, and International Institute for Sustainable Development.

32 See: Trout, K. et al (2022), Existing fossil fuel extraction would warm the world beyond 1.5°C, Environ. Res. Lett. 17 064010; OILCHANGE (2023), Sky's Limit Data Update: Shut Down 60% of Existing Fossil Fuel Extraction to Keep 1.5°C in Reach; and IEA (2023), Net Zero Roadmap: A Global Pathway to Keep the 1.5 °C Goal in Reach.

Delivering energy security and climate action

Not only are new fossil fuel extraction projects inconsistent with international climate obligations, the need to protect people and the planet from climate impacts, and the probability of securing a liveable future, but they also cannot help with current energy demands or crisis, which is in fact a fossil fuel crisis. According to the IEA it can take almost 20 years to bring new conventional upstream projects online and production from existing fields is already sufficient to meet energy needs in a scenario consistent with the 1.5°C goal.[33]

Instead, new fossil fuel extraction projects help keep economies and households exposed to future fossil fuel-price and supply shocks and conflicts, as well as stranded asset risks. They can also divert investment away from clean energy systems further exacerbating the impacts of fossil fuel dependence.

It is clear that new fossil fuel projects do not contribute to energy security and only truly serve short-term fossil fuel vested interests, while continuing to impose and lock-in harm on wider society. **Decisions to allow and invest in new fossil fuel extraction projects are, therefore, increasingly exposed to legal challenges.**

As part of committing to no more new fossil fuel extraction projects, governments should review existing planning, licensing, and permitting frameworks to ensure they are aligned with climate obligations, energy security objectives, and the long-term public interest.

Securing accountability and justice through the courts

Legal risk is already building against new fossil fuel projects through litigation by individuals, communities and civil society. In 2024, British community campaigners, in *Finch on behalf of Weald Action group and Others*, successfully challenged their local authority's decision to grant planning permission for four new oil wells without assessing the emissions that would subsequently be produced when the oil was used (Scope 3 emissions) as part of the environmental impact assessment. This June, French NGOs, in *Notre Affaire à Tous et al*, won a court judgement against fossil fuel major TotalEnergies holding that the company must act on Scope 3 emissions in its Duty of Vigilance plan under French law. A duty on fossil fuel producers to reduce scope 3 emissions means ceasing new fossil fuel projects. But, for now, courts have been reluctant to order companies to adopt specific emissions reduction targets or opine on the content of companies' transition plans.

In April this year, Dutch NGO, Milieudefensie, launched a new legal challenge against Shell, demanding that the company stop bringing new oil and gas fields into production. This builds on their existing case against the fossil fuel major that seeks to force it to reduce its greenhouse emissions by 45% by 2030 relative to 2019 levels. Milieudefensie originally won that case in the District Court, but was overturned in the Court of Appeal, and the case is now before the Supreme Court of the Netherlands.

Amongst over a dozen cases asking Courts to intervene in corporate climate conduct, more and more are invoking the need to prohibit new fossil fuelled projects. **The direction of travel is clear – new fossil fuel projects are a focal point of escalating legal risks.**

33 IEA (2025), The Implications of Oil and Gas Field Decline Rates.

The ICJ Advisory Opinion: clarifying ambition, roles and responsibilities

Over the past few years, numerous Advisory Opinions by international and human rights courts have confirmed and clarified the binding legal obligations on States to protect the climate and limit the impacts of climate change. In particular, the Advisory Opinion by the ICJ, the world's highest court, has interpreted the 1.5°C threshold as the primary temperature goal under the Paris Agreement, requiring nationally determined contributions to reflect the "highest possible ambition" in alignment with this target. It also confirmed that:

- States could be in breach of international law if they fail to curb fossil fuel production and consumption, approve new projects, or continue providing public funding for fossil fuels.
- Countries with the highest historical emissions bear a greater responsibility to address the climate crisis and help limit global warming to 1.5°C.
- States are legally required to regulate the climate impacts of companies and businesses operating within their jurisdiction.
- The human right to a healthy environment is fundamental to human life and states have an obligation under international law to protect it.
- Countries experiencing the worst impacts of climate change may have a pathway to seek reparations from major historical emitters.

A renewables-based transition to an electrified energy system

Stopping new fossil fuel extraction projects from being developed will help to buck the trend of ever-increasing greenhouse gas emissions and set us in the right direction. However, existing fossil fuel projects also need to be phased out if we are to limit the magnitude, duration and consequences of overshoot,[34] and avoid the perils of *irreversible* overshoot, in line with the Paris Agreement and the best available science.

The COP31 Presidency's proposal for an electrification target to raise the share of final energy demand met by electricity from just over 20% today to 35% by 2035 is a welcome step.

However, electrification alone cannot deliver a clean energy transition where generation remains tied to fossil fuels. As signalled by the UAE Consensus,[35] the transition must be towards a renewable-based electrified energy system.

Renewable energy, complemented by efficiency and demand reduction measures, is key for improving energy security. Increasing its share of power generation helps to decrease our dependency on conflict-prone and volatile fossil fuel markets, insulating people and businesses from supply and price shocks, and once installed the infrastructure allows for increased energy sovereignty. Renewable energy also has much higher energy productivity – avoiding the thermal losses of fossil fuel combustion – so that, for example, a heat pump delivers three to four more units of heat per unit of electricity energy compared to a gas boiler – so less power is needed overall.

34 UNEP (2026), Limiting Overshoot - Navigating exceedance of 1.5°C and pathways towards return.

35 COP28 Presidency (2023), The UAE Consensus negotiations outcome, (accessed 30.1026)

Furthermore, it can be deployed as decentralised energy systems more effectively than fossil fuel systems – removing more 'single points of failure', either from inefficiencies, technical issues or deliberate attacks, increasing resilience and strengthening the grid.

The Energy Transitions Commission (ETC) has noted "this is the first major energy shock in which scalable, cost-competitive clean alternatives are available across the main sources of fossil fuel demand."[36] And analysis by the International Renewable Energy Agency has found that "[r]enewables remained the most cost-competitive source of new electricity in most markets in 2025 with 90% of newly commissioned utility-scale capacity delivering power at a lower cost than the cheapest, newly installed fossil fuel-based alternative."[37] It would seem that **the switch to renewables-based electrification can happen at sufficient speed and scale globally – as long as there is sufficient ambition across stakeholders.**

The economic penalties of failure, otherwise, are massive. The ETC estimates that just 6-12 months of elevated fossil fuel prices associated with the current energy crises would imply an additional $1-2 trillion gross expenditure globally, on top of the $4 trillion/year the world already spends on fossil fuels. This is the same order of magnitude as estimates of the investment needed to deliver a decarbonised energy system by 2050: $1.5 trillion on top of the $2 trillion already being spent on clean energy systems each year until 2050 – and these amounts represent useful investment, not a net cost.[38] A single fossil fuel price shock can impose significant costs with no associated benefits; but the transition comes with economic costs outweighed by benefits such as faster deployment, greater stability and efficiency, and reduced fossil-based harms to people and the planet. Importing countries are increasingly acting on the fact that transition offers a resilience gain, not only an environmental harm reduction. They face a choice: the risk of future fossil insecurity penalties, or transition investment?

To mitigate the risk that increased ambition around electrification simply deepens our dependence on fossil fuel electricity, governments must also **set clear phase out dates and pathways** for an orderly and swift exit from fossil fuels. **Fossil fuel subsidies must also be eliminated,** while providing targeted protections to mitigate adverse financial impacts on households and businesses in the short-term.

Alongside accelerating renewable electricity deployment, governments can advance several **"win-win" approaches which displace oil and gas demand in fossil-dependent sectors.** Transport, heating, cooking, and heavy industry must all be electrified, with sector-specific policies in place to ensure electrification is an economy-wide effort. Improving energy efficiency is also fundamental to electrification, since reducing energy demand makes it more feasible and affordable to electrify across sectors.

36 ETC (2026), Lessons On Energy Security After The Hormuz Crisis: How Accelerating The Clean Energy Transition Builds Resilience Against Future Price Shocks.
37 IRENA (2026), Delivering on the UAE Consensus: Tracking progress toward tripling renewable energy capacity and doubling energy efficiency by 2030.
38 ETC (2026), Lessons On Energy Security After The Hormuz Crisis: How Accelerating The Clean Energy Transition Builds Resilience Against Future Price Shocks.



ClientEarth undertakes legal interventions and advocacy helping advance the path to clean electrification. For example, in the EU, we are challenging 'capacity mechanism' schemes through which governments give subsidies to fossil gas in power systems, to the exclusion of clean alternatives like renewables and demand-side flexibility. At the same time, we also advocate for financing frameworks that exclude fossil fuel activities and improve public support for renewables. In regions where coal continues to dominate – such as Türkiye – we advocate for strong climate laws and environmental standards that could drive a swift transition away from coal, while challenging new investment regimes and environmental exemptions benefiting coal activities. In the UK we have successfully challenged the government to improve its climate plan and uncovered potentially anti-competitive behaviour by the UK gas industry against heat pumps. We also advocate and litigate for greater transparency and fairness around how decisions are made regarding who can connect to European grids, and under what conditions. Through this we seek to address the unequal power wielded by energy majors and the incentives they have to continue investing in fossil fuels.

Supporting a secure and equitable transition

The path is clear – countries must urgently move to renewables-based electrified energy systems. These offer several structural advantages to fossil fuel-based systems but, perfect systems do not exist. Even clean energy systems will impact people and nature. We cannot entirely eliminate risks and impacts, but we can move from the vulnerability and volatility of fossil fuel dependence to an energy system that is inherently more secure and climate-friendly, while addressing the risks and impacts of the transition.

Increasing energy efficiency, as recognised in the UAE Consensus, along with reducing demand must be embedded in the transition.

For example, the transition to electrified and renewables-based systems is contributing to new global competition around 'critical raw materials' (e.g. lithium, nickel, cobalt, and copper) fuelled by the expectation that these will be increasingly needed to meet growing mineral demand in an increasingly electrified global economy. The extraction and processing of these minerals creates new environmental and human harms, and introduces new geopolitical dependencies.

Competition is also emerging around scarce grid capacities, as sectors electrify. Energy hungry users like data centres compete for grid connections and power supplies, impeding the electrification of other energy- and fossil-intensive sectors like buildings and transport. In many regions, the growth of new large loads outpaces grid expansion, creating operational risks.

To address these risks and impacts, **a planetary boundary approach needs to inform the basis for a secure and equitable transition** – namely, one that swiftly reduces fossil fuel dependence and its associated harms, while minimising problem shifting that reproduces old vulnerabilities and chokepoints and creates new and different harms elsewhere.

A clean energy supply is vital, but so too are **legal frameworks that reduce and smarten demand, while at the same time improving wellbeing.** Ultimately, we need systems that enable everyone to move around and live comfortably, while using much less energy and fewer resources along the way. Where energy and resources continue to be extracted and developed, the impacts to people and nature must be mitigated.

In practice, this means implementing and enforcing laws to enable and accelerate buildings renovations and improved insulation, more rooftop solar and heat pumps, more durable and longer lasting goods, greater access to active and public transport, and flexible energy demand. Alongside increased recycling and circularity measures, mandatory and robust due diligence and disclosure rules will also help mitigate the negative impacts of mineral extraction and development. These measures will also permanently lower exposure to the volatility of fossil fuel prices and reduce household bills, energy poverty and industrial vulnerability, while easing strained power grids and reducing the impacts from new forms of resource competition.

Energy communities are an additional layer of resilience. By helping people, public authorities and local businesses participate directly in local renewable energy production, storage and sharing, energy communities reduce dependence on centralised market actors.

ClientEarth works to advance a managed transition that improves energy security and equity. We advocate and litigate to ensure that government policy promotes the effective development of energy communities, advancing a more distributed (and therefore more secure) approach to renewables, while also providing people more control over how their energy is produced and used. We challenge critical minerals projects where there has been a clear disregard of core environmental protections and rights to public participation. We work to help ensure that the expansion of energy-hungry AI and digital infrastructure respects planetary boundaries and does not crowd out the electrification and decarbonisation of other sectors. And we work with cities to reform mobility and buildings systems to reduce energy and resource needs and improve equity.

Conclusion

At COP31, we urge States to build on the consensus achieved at COP28 on the need to transition, as well as the COP30 Presidency roadmaps and Santa Marta process.

The transition away from fossil fuels and towards a renewables-based electrified energy system must be sustainable and just.

One clear immediate answer that stands out is the need to **say no to anymore new fossil fuel extraction projects.**

To keep the goal of 1.5° alive, more States must join those that have taken this vital step already. They must not just commit to no more new fossil fuel projects but also ensure that they enshrine it in law – **making use of the full range of legal tools to secure buy-in from the public and other stakeholders, strive for the right level of ambition, provide clarity to all actors, and ensure climate action is taken.**



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ClientEarth

Pierre Cannet
Global Head of Public Affairs & Policy
pcannet@clientearth.org

Andrea Lee
Global Campaigns & Policy Manager
alee@clientearth.org

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Climate action through the law