

GUARANTEEING TRANSPARENCY AND A SEAT AT THE TABLE FOR THOSE ON THE FRONTLINES OF THE CLIMATE EMERGENCY: RECOMMENDATIONS FOR THE HOST COUNTRY AGREEMENT GUIDING COP30

BRAZIL'S ROLE IN STRENGTHENING ENVIRONMENTAL DEMOCRACY

Since its redemocratization, Brazil has played a pivotal role in international climate negotiations, with landmark events such as Rio+20 shaping the global sustainability agenda. Under President Lula's administration, Brazil has demonstrated a renewed commitment to democracy, exemplified by the creation of ministries such as the Ministry of Indigenous Peoples and the National Secretariat for Social Participation. These institutions aim to enhance the representation of traditional communities and the broader Brazilian public.

Brazil's democratic transformation presents a unique opportunity to set international precedents in environmental democracy. By reinforcing this commitment, Brazil can lead by example, influencing climate negotiations and establishing best practices for future COP hosts. Given the high expectations for Brazil's leadership at COP30, this document outlines pathways for ensuring Brazil remains an innovative and decisive actor in multilateral forums—particularly in advancing the participation of those who have long been at the forefront of the fight against climate change, including environmental and human rights defenders.

Ensuring meaningful participation from frontline communities is fundamental to achieving the Paris Agreement's objectives. This document presents concrete recommendations for enhancing civil society participation at COP30, positioning Brazil to reestablish trust in multilateral negotiations and making this COP a landmark event for civil society and environmental defenders.

INTERNATIONAL STANDARDS ON ENVIRONMENTAL HUMAN RIGHTS

The right to participate in governance and public affairs is a fundamental human right, enshrined in the Universal Declaration of Human Rights (Article 21) and the International Covenant on Civil and Political Rights (Article 25).

This right is intrinsically linked to freedoms of assembly and access to information, as reaffirmed in General Comment No. 25 by the Human Rights Committee. At the regional level, Principle 10 of the Rio+20 Conference advocates for public participation, access to information, and justice in environmental matters, leading to the adoption of the Escazú Agreement, which strengthens these rights in Latin America and the Caribbean, inspired by the Aarhus Convention.

Civil society participation is also a pillar of international environmental governance (IEG), with UNEP recognizing its essential role in improving the quality, outcomes, and legitimacy of environmental policies. The Paris Agreement further obligates state parties to engage civil society in climate change mitigation and adaptation efforts.

Indigenous Peoples, traditional communities, and small-scale farmers have historically contributed the most to environmental conservation and climate change mitigation. Their traditional knowledge, often sidelined in decision-making processes, offers proven best practices for adaptation and mitigation—solutions that respect nature and safeguard the livelihoods of those most directly impacted by climate change.

Advocating for the meaningful participation of Environmental Human Rights Defenders (EHRDs) in climate negotiations is not only about enforcing existing human rights commitments—it is about ensuring that those with the expertise and lived experience to implement innovative, effective solutions are at the decision-making table.

UNFCCC-SPECIFIC ISSUES ON PARTICIPATION

Under the UNFCCC framework, parties have acknowledged the need to strengthen observer engagement, as highlighted in a recent consultation process. Stakeholders and constituencies have identified significant barriers to participation, including:

- **Regional Imbalance:** The UNFCCC Secretariat itself has reported that the majority of observers come from the Global North, limiting the perspectives of frontline communities.
- **Financial Constraints:** A lack of financial support prevents equitable participation.
- **Inefficient Quota Systems:** Current systems fail to ensure adequate representation.

- **Visa Barriers:** Bureaucratic hurdles, xenophobia, and racism hinder access.
- **Lack of Representation:** Underrepresentation weakens the effectiveness of participation.
- **Accessibility Issues:** Insufficient accommodations for persons with disabilities.

While choosing a Global South country as COP30's host is a step toward addressing regional imbalances, much more must be done. Given the challenges faced at the last three COPs, Brazil must leverage the Host Country Agreement (HCA) to set ambitious standards for inclusive participation. By being a standard-setter, Brazil can have as legacy an exemplary HCA template for future COPs - and, of course, a truly democratic space for climate negotiations.

This document outlines key recommendations to establish COP30 as a model for democratic, people-centered climate governance

RECOMMENDATIONS

To ensure COP30 sets a new standard for inclusive participation, we urge the Brazilian government and the UNFCCC Secretariat to implement the following measures and to display them in the HCA with clear language:

1. **Commitment to Human Rights Standards:** Within the Immunities and privileges section of the HCA, Brazil must work closely with the The Office of Legal Affairs to include strong commitments regarding respect for and protection of human rights, especially by pledging to ensure the full enjoyment of the rights to peaceful assembly, freedom of expression, access to information, and meaningful participation, with any restrictions imposed being in line with the three-part test under international law (necessity, legality, and legitimacy).
2. **Explicit non-retaliation clauses** - Brazil must include language prohibiting surveillance, detention, or retaliation against EHRDs during and after the COP event. **Advocacy actions:** Any agreement between the UNFCCC Secretariat and Brazil regarding the format and content of advocacy actions by Observers should be part of the Host Country Agreement and made public. Advocacy actions must be allowed to take place in a manner that respects the right of participants to freedom of expression and peaceful assembly.

3. **Conflict of Interest Policy**

- a. All parties involved in negotiating, drafting, or approving this Host Agreement must disclose any actual or potential conflicts of interest that could compromise the integrity of the COP proceedings or the safety of participants. This includes, but is not limited to, financial relationships with fossil fuel companies, extractive industries, or entities with significant environmental litigation histories. These disclosure statements shall be publicly accessible and published in a standardized format on the UNFCCC website prior to the commencement of the COP. Failure to disclose relevant conflicts shall be grounds for review of an individual participation in organizing or decision-making processes related to the COP.
 - b. The Host Country Agreement must make clear that Brazil will not accept any financial payments or other forms of sponsorship for the hosting of COP30 from companies or bodies whose activities are incompatible with the purpose and environmental and other sustainable development objectives of the UNFCCC (Article 3.15). All sponsorship received, whether financial or in kind, must be made public.
4. **Privacy:** The Host Country Agreement must ensure the security of all participants' personal data collected in relation to attendance of the COP, in line with their right to privacy, so that it cannot be used to target individuals, including EHRDs. Use of spyware against participants must be explicitly prohibited.
5. **Security and Law Enforcement:** Brazil must provide adequate security measures, ensuring that all officers are trained to uphold human rights standards and prevent excessive use of force - which shall be done by working closely with the UNFCCC secretariat.
- a. Instruct municipal law enforcement in host cities to respect civic freedoms related to COP30.
 - b. Allocate specific resources for security measures and legal support for at-risk defenders.
 - c. Establish a rapid response protocol for threats against defenders, including dedicated communication channels and security personnel.
 - d. Appoint neutral observers to document and report threats and human rights violations related to the COP
6. **Observer Access to Negotiations:** The Host Country Agreement must stipulate adequate minimum requirements for room capacity to ensure that all negotiations can take place in rooms large enough to accommodate observers, with no bureaucratic or logistical barriers preventing attendance.

7. **Accountability Mechanisms:** The HCA must include a mechanism for receiving and responding to complaints related to human rights violations, acts of intimidation and reprisals committed by the host, its personnel, and affiliated organizations and institutions. The predicted mechanism should foresee the public disclosure of complaints (with consent) and its structure should reflect a commitment to non-repetition and accountability, such as the suspension or quarantine of any personnel involved in human rights violations and referral to relevant judicial bodies, where appropriate.
8. **Accessibility:** COP30 venues must be fully accessible to persons with disabilities. Information should be available in multiple languages and formats. Spaces must be designated to accommodate families and children. Virtual participation must also be available as in previous years. Accessibility should also apply to all information regarding participants' attendance and engagement, including the publication of all requirements for side events. Finally, the requirements for side-events should be designed in a way that avoids unnecessary obstacles to the participation of civil society and EHRDs, ensuring feasible deadlines, simple procedures.
9. **Information Flow:** All technology used for broadcasting, sharing and displaying information must be high-quality and state-of-the-art, innovative, fully functional and of adequate capacity in order to promote effective, real-time engagement for all participants, including virtual participants. All acquired technology for accountability purposes should also be able to meet the highest standards for providing accessible information on expenditures and procurements related to the Conference (infrastructure, security, and so on).
10. **Visa Access:** Brazil must implement modern electronic visa systems to ensure fast, free, and non-discriminatory visa issuance for attendees (with or without badges), while providing alternative means of application for persons unable to access electronic platforms for any reason. All visa processes must be free from xenophobia and racism, ensuring EHRDs and civil society representatives can attend COP30 without undue barriers. The country must also nominate a visa focal point at the MFA, as soon as possible, and refrain from using any justification regarding security for visa denials in cases where there is no clear evidence of security hazard.
11. **Affordable, Easily Accessible and Safe Accommodations:** Brazil must take proactive steps to ensure affordable, accessible and secure lodging options for all participants - especially those who come from developing countries and require funding from the Trust Fund for Participation.

12. **Disclosure:** The Host Country Agreement must be disclosed as soon as possible, ideally for public input before signing. If prior disclosure is not feasible due to exceptional circumstances, the complete Agreement must be published immediately after signing by both Brazil and the UNFCCC Secretariat. No provisions of this Agreement may be withheld from public disclosure on grounds of confidentiality or security, particularly those pertaining to human rights protections, civil society participation, or environmental defender's safety.

By implementing these recommendations, Brazil and the COP30 Presidency can set a global benchmark for inclusive, transparent, and rights-based climate governance, ensuring COP30 is a turning point for environmental democracy.

The following organizations and individuals endorse the adoption of the 1-12 recommendations listed above:

Michel Forst - UN Special Rapporteur
on Environmental Defenders under
the Aarhus Convention

350 Taiwan

Amnesty International

APCOM Foundation

Apremavi

ARAYARA International Institute

Arnika

Articulação dos Povos Indígenas do
Brasil - APIB

Articulação Nacional das Mulheres
Indígenas Guerreiras da

Ancestralidade - ANMIGA

ARTIGO 19 Brasil e América do Sul

Asociación Interamericana para la
Defensa del Ambiente

Associação Alternativa Terrazul

Associação Brasileira de
Organizações Não-Governamentais -
Abong

Associação Ecológica de Cooperação
Social - ECOSBRASIL

Associação Rare do Brasil

Azimuth World Foundation

Business & Human Rights Law Group
Business and Human Rights
Resource Centre

CambiaMO

Cambodian Institute for Democracy
Carbon Market Watch

Center for Environmental Democracy
Florozon

Center for International
Environmental Law

Centre for Citizens Conserving
Environment & Management - CECIC

Centre National de Coopération au
Développement - CNCD -11.11.11

Child Rights International network -
CRIN

Christian Blind Mission Ireland - CBM
Ireland

Civicus

ClientEarth

Climate Rangers Jakarta

Climate Rights International

Club de Madrid

Co-ordination Office of the Austrian

Bishops' Conference for International
Development and Mission - KOO

Coalition des Volontaires pour la Paix et le Développement - CVPD
Community Initiative Action Group Kenya - CIAG-K
Conectas Direitos Humanos
Cooling the Climate
Dalil Elkheer Foundation for Development
Dalil Elkheer Organisation for Development
Dalma-Sona - Human Rights, Educational, Cultural, Social, Environmental FUND/NGO
Data Privacy Brasil
Disability Peoples Forum Uganda
Drug Policy Reform & Environmental Justice International Coalition
Dukingire Isi Yacu - DIY
Earthjustice
Ecojustice Ireland
Ecoscope NGO
Egyptian Foundation for Environmental Rights - EFER
Engajamundo Youth Association
European Center for Not-for-Profit Law - ECNL
Federal Ministry of Innovation, Science and Technology
Florozon Centre for Environmental Democracy
Food First information and Action network of Sri Lanka
Fórum Brasileiro de ONGs e Movimentos Sociais - FBOMS
Franciscans International
Fundação Grupo Esquel Brasil
Fundación Ciudadanía Inteligente
Fundacion Plurales
Global Citizen
Global Focus

Global Initiative for Economic, Social and Cultural Rights
Global Climate Legal Defense
Global Participe
Global Witness
Green Environment Youth Korea - GEYK
Green Legal Impact Germany e.V.
Hawai'i Institute for Human Rights
Hayajan NGO
Humanity Research Consultancy
Iepé Instituto de Pesquisa e Formação Indígena
IFEX
In lab
Indigenous Peoples Rights International - IPRI
Indigenous persons with Disabilities Global Network
Instituto Centro de Vida - ICV
Instituto de Pesquisas Ecológicas - IPÊ
Instituto Sociedade, População e Natureza - ISPN
Instituto Zé Claudio e Maria
International Association of River Keepers - ECO-TIRAS
International Center for Not-for-Profit Law - ICNL
International Federation for Human Rights within the framework of the Observatory for the Protection of Human Rights Defenders
International Rivers
International Service for Human Rights
IPWDGN
Justiça Global
Justice And Prosperity For All
Kurytiba Metropole
Life of Pachamama

Mom Loves Taiwan Association
Mumbo International
Namati
NGO Angel
Observatório do Clima
Organization for Community
Engagement - OCE
Oxfam Brasil
Palestinian Institute for Climate
Strategy
Peace Brigades International
People in Need
Plataforma de Defensores y
Defensoras de la Tierra y el Territorio
- PDDTT/ILC LAC
Projeto Saude e Alegria
Proteção Animal Mundial Brasil
Protect Our Winters Taiwan
Rede de Trabalho Amazônico - GTA
Rede Vozes Negras pelo Clima
Resilient40
Sea Shepherd Brasil
SER - Inovação e Sustentabilidade
Shifting Advocacy
Size of Wales
Solidarité pour l'Encadrement et
Lutte contre la Pauvreté - SELP
Sustainable Strategic Solutions
Transparency International
Tribes Alive/Indigenous People's
Cultural Support Trust
Union of Disabled People
Organisations of Azerbaijan
United Nations Office for Disaster Risk
Reduction
World Organisation Against Torture
within the framework of the
Observatory for the Protection of
Human Rights Defenders
World's Youth for Climate Justice

Youth and Environment Europe
Youth Climate Leaders
Youth Network for Disaster Risk
Reduction Colombia
مؤسسة دليل الخير