

Just transition in Latin America: Striking a balance between economic development and environmental and social energy justice



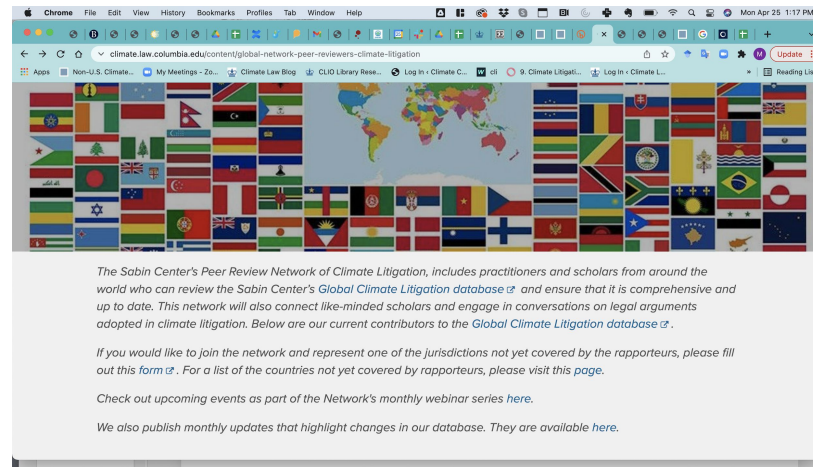
Global Network of Peer Review Scholars on Climate Litigation

National rapporteurs on climate litigation

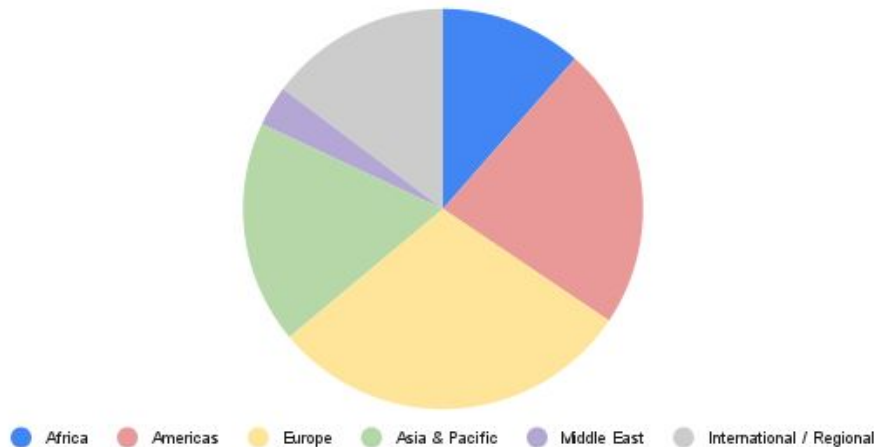
70 scholars (May 2022)

50 jurisdictions

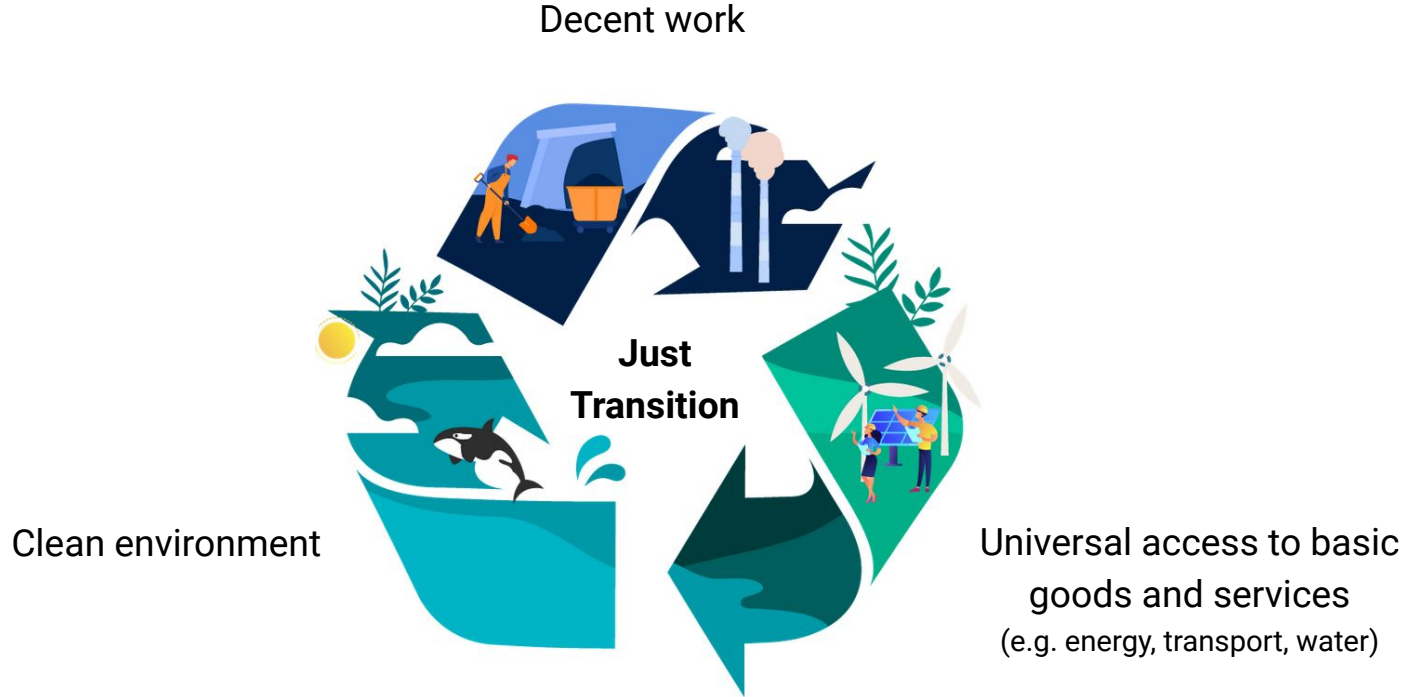
9 international or regional adjudicatory bodies



Peer Review Network of Scholars



What is Just Transition?



Just Transition Principles



Just Transition in Latin-American Countries' NDCs

Paris Agreement

All LATAM countries have ratified the Paris Agreement to develop climate change mitigation and adaptation measures to reduce GHG emissions through the NDCs.

Just transition [in NDCs]?

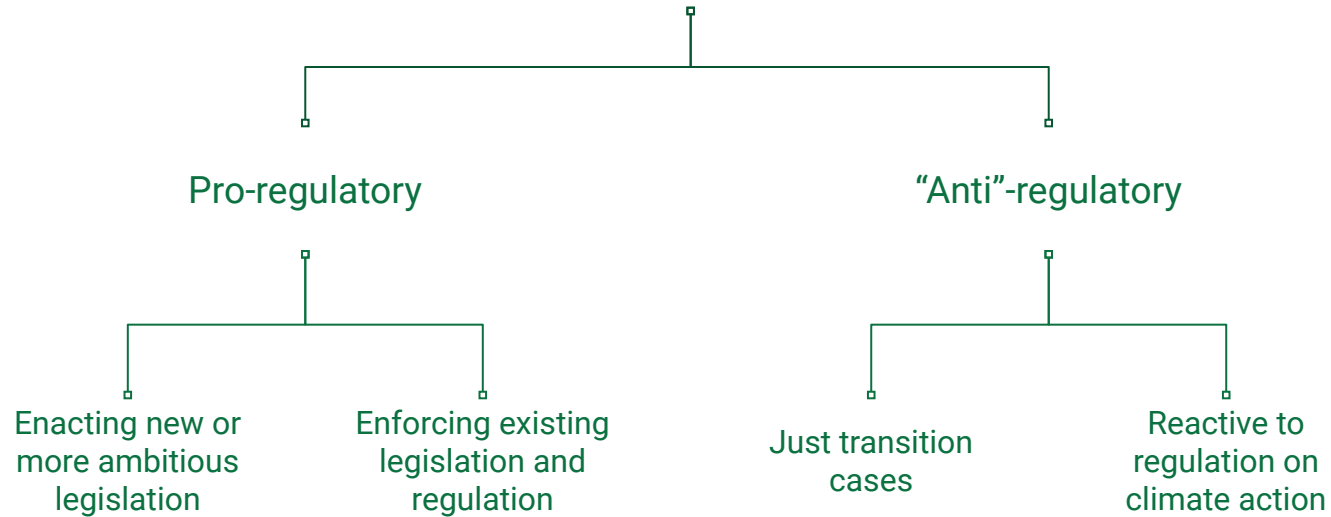
Climate policy instruments do **not** incorporate “just transition” explicitly, except for Chile and Colombia (NDCs).

Focus in NDCs

Energy sector (nothing yet on agriculture or forestry).

Mainly concerned with **employment** (excluding other issues such as: social issues, protection of vulnerable groups, gender identity, access to social protection systems, and fiscal equity)

Climate litigation



Just transition litigation in Latin-American countries

Lessons from Chile:

- Carbon neutrality is a goal **but** needs to be coupled with a just transition strategy to protect workers and communities.
- Supreme Court ordered a plan for reinsertion in workforce.
- Focus on labour and economy.



Just transition litigation in Latin-American countries



Lessons from Mexico:

- Just transition project on the lands of the *Zapoteca* indigenous peoples of Unión Hidalgo in Oaxaca, Mexico.
- Local population needs to share in renewable energy wealth (e.g. access/reliable/quality energy for indigenous peoples).
- Focus on labour, energy poverty and lack of access.

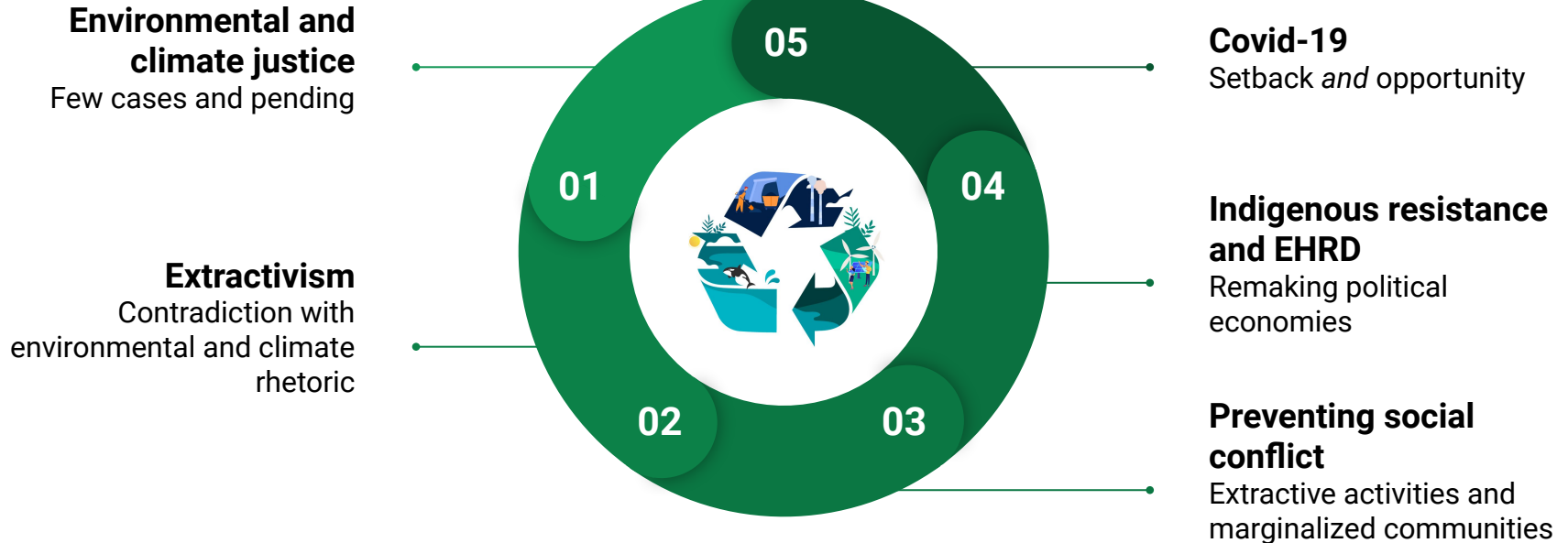
Just transition litigation: possible negative effects



New Mexico, USA:

- Plaintiffs challenged the Energy Transition Act (ETA) on due process violation claims.
- The New Mexico Supreme Court rejected the argument that ETA infringed on due process rights of customers.
- **However**, the case delayed funding from being allocated to impacted workers.

Conclusions from Latin America's just transition litigation:



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