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ADVANCING CLIMATE REPARATIONS, HUMAN RIGHTS, AND GENDER JUSTICE THROUGH CLIMATE FINANCE

Position Paper

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Position Paper 2

Advancing Climate Reparations, Human Rights, and Gender Justice through Climate Finance

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Executive Summary

Africa's quest for climate finance is inseparable from the continent`s broader demands for economic, racial, and gender justice. It must be pursued as a project of structural transformation rather than a matter of voluntary aid. Africa is on the frontlines of a crisis it did not cause. Despite being among the lowest contributors to global greenhouse gas emissions, African countries face disproportionate climate impacts. Meanwhile, financial support promised by wealthier states has been slow, unpredictable, and burdened by debt and conditionalities. The African Union has declared 2025 the Year of Justice through Reparations and 2026–2036 the Decade for Reparations, providing a historic opportunity to reframe climate finance as part of a broader project of reparative justice and structural transformation.

Climate finance in Africa must be grounded in the broader realities the region faces, which include: high levels of inequality and unemployment, rapid population growth amid persistent poverty, and limited fiscal resources that heighten vulnerability to climate risks. A human rights-based approach to climate financing strengthens Africa's position in global negotiations by centering the needs of its communities. To ensure equitable outcomes, COP30 negotiations must recognise the diversity of African societies and address the gendered dimensions of climate finance.

This position paper calls on African governments, negotiators, and civil society to push for a decisive shift at COP30:

- Recognizing climate finance as part of **climate reparations**, grounded in legal obligations, not discretionary aid.
- Embedding **human rights-based approaches** in climate finance design and delivery to ensure equity, participation, and accountability.
- Securing **gender responsive** climate finance that addresses systemic inequalities and empowers women and girls.

1. Introduction

African countries are among the most climate-vulnerable regions in the world, yet bear the smallest responsibility for historical emissions. Rising temperatures, extreme weather events, and biodiversity loss threaten food security, public health, and livelihoods across the continent. At the same time, climate finance flows remain deeply inadequate and inequitable. Wealthy states have failed to deliver on the USD 100 billion annual climate finance pledge by 2020, and much of the funding that does reach Africa comes as loans rather than grants, deepening existing debt crises.

Climate finance has been treated largely as a technical exercise, focused on project pipelines and donor-defined metrics, rather than as a political question of justice, redistribution, and

accountability. Decisions on what gets funded, who receives finance, and under what terms often exclude affected communities and African priorities.

The African Union has made 2025 the Year of Justice through Reparations and declared 2026 to 2036 as the Decade for Reparations for Africans and people of African descent (African Union 2025, Amani Africa 2025). This is a clear signal that demands for historical redress, structural change, and people-centered development are growing stronger across the continent. It also offers an important lens for thinking about climate finance - not as charity or development aid, but as part of a broader effort to repair harm, redistribute resources, and build just futures.

Recent developments have opened new political and legal space. In July 2025, the International Court of Justice issued an advisory opinion affirming that states have binding obligations under international law to prevent climate harm, cooperate internationally, and provide financial support to affected communities, including reparations for damage already caused. A petition currently before the African Court on Human and Peoples' Rights could strengthen Africa's position further by affirming collective rights to reparative climate finance.

Against this backdrop, COP30, hosted by Brazil and widely viewed as the first "Reparations COP", offers a critical opportunity for African states to lead in redefining climate finance not as charity but justice. This includes pushing for a shift in how finance is conceived, delivered, and justified: from discretionary pledges to accountable obligations; from donor-driven priorities to rights-based approaches; and from short-term projects to real structural reparations.

This position paper explores how African states, negotiators, policymakers, and civil society can use this moment, including the AU's focus on reparations and recent legal developments, to demand a climate finance system that is fair, transparent, and rooted in justice at COP30 and beyond. It focuses on three core priorities: climate reparations, human rights-based approaches, and gender-responsive climate finance.

2. Why the Current Climate Finance System Fails Africa

Africa stands at the epicenter of the climate crisis but remains on the margins of climate finance. Despite the continent's minimal contribution to global greenhouse gas emissions (IPCC 2022), the flows of finance intended to support African adaptation, mitigation, and loss and damage responses are insufficient, unpredictable, and inequitable. Without a structural shift, the current system of climate finance risks [1]deepening the very inequalities it is meant to address.

Wealthy countries continue to fall short on their climate finance pledges. The longstanding USD 100 billion annual commitment under the Paris Agreement has yet to be met, and most African countries receive only a fraction of what is needed to adapt to worsening climate impacts. New mechanisms, such as the Fund for Responding to Loss and Damage, remain under-resourced and overly reliant on voluntary contributions (Richards & others 2023). For African countries facing intensifying floods, droughts, and cyclones, this results in delayed and insufficient support at moments of acute crisis.

[1] For different perspectives on this see, OECD (goal met) https://www.oecd.org/en/topics/climate-finance-and-the-usd-100-billion-goal.html
and Oxfam (goal not met) https://oxfamilibrary.openrepository.com/bitstream/handle/10546/621426/bn-climate-finance-short-changed-191022-en.pdf

More than 70 percent of climate finance directed to Africa arrives as loans, not grants (Arko 2024). This pushes already heavily indebted countries further into financial dependency, leaving fewer resources for domestic adaptation and resilience efforts. Many loans are tied to strict conditionalities imposed by bilateral donors or multilateral development banks, reinforcing historical patterns where African governments must conform to external agendas rather than develop their own climate priorities.

Funding decisions are frequently shaped by donor interests rather than African-led strategies (Malherbe & Oladejo, 2025). Projects are often selected based on what satisfies donor reporting frameworks or geopolitical priorities, sidelining local knowledge and nationally determined priorities. This undermines African sovereignty, erodes self-determination, and limits the ability of governments and communities to design solutions that are appropriate to their own contexts.

Despite repeated commitments to inclusivity, global climate finance mechanisms frequently bypass those most affected by climate change, especially women, Indigenous peoples, smallholder farmers, displaced populations, and marginalized urban communities. Finance often flows through large international intermediaries and consultancies, with limited accountability or participation from local actors. As a result, decisions are made far from the realities of climate-vulnerable communities on the ground, leading to ineffective or even harmful interventions (see, for instance, the Kariba REDD+ project in Zimbabwe, which was eventually closed for failing to, among others, channel benefits to communities (Cooksey 2024)).

3. Policy Recommendations

Given these challenges and shortcomings, Africa's position at COP30 must be clear, principled, and rooted in justice. The current climate finance system has failed to deliver adequate, predictable, and equitable support for African states and communities. The combination of deepening debt, donor-driven priorities, and exclusion of affected populations perpetuates historical patterns of extraction rather than repairing harm and enabling meaningful and equitable transformation. COP3,0 hosted by Brazil as an Afro-descendent COP and hailed by some as the first "Reparations COP," offers a critical moment for Africa to shift the narrative and demand structural transformation. This section sets out the position and rationale across three interlinked pillars: **climate reparations**, **human rights-based approaches**, and **gender-responsive climate finance**.

3.1. Climate Reparations: From Discretionary Pledges to Binding Obligations

Climate reparations refer to the idea that those most responsible for the climate crisis - mainly industrialized countries and fossil fuel corporations (Grasso & Heede 2023) - have a duty to repair the harm they have caused. This includes compensating countries and communities that are already suffering losses they did not create and helping to rebuild economies, ecosystems, and societies in ways that address historical and structural injustices.

African states should advance a reparative justice framing for climate finance at COP30, moving beyond discretionary donor-driven pledges towards legally grounded obligations. The July 2025 advisory opinion from the International Court of Justice (ICJ) affirmed that states have duties under international law to prevent climate harm, cooperate globally, and provide financial support to those most affected (ICJ 2025; CIEL 2025). This marks a significant shift: climate reparations are no longer just a moral or political demand; they are anchored in legal responsibility.

Policy recommendations:

- Reframe climate reparations as enforceable obligations (e.g., leverage the ICJ advisory opinion to argue that major emitters and polluters have clear duties to provide finance for climate-related harms.)
- Develop concrete proposals for how reparative climate finance could work: who would pay, who would receive, how it would be governed, and what it would fund.
- Build alliances among African Nations through the AU's Decade for Reparations (2026–2036); and with like-minded nations (e.g. from Latin America, Small Island Developing States, and those with strong Afro-descendant diaspora), to jointly demand climate reparations, binding financial obligations under the Loss and Damage Fund and NCQG, and ensure that reparative climate finance is predictable, grants-based and accessible.
- Strengthen South-South coalitions and forge partnerships with allies in the Global North to coordinate diplomatic, legal, and political pressure on high-emitting states to obtain commitment for grants-based climate finance under the NCQG and Loss and Damage Fund, and to guarantee direct access for vulnerable African countries and communities.
- Advocate for dedicated, grant-based funding for climate-related loss and damage that is directly accessible to affected communities.
- Link climate reparations to broader systemic shifts: debt cancellation, global fossil fuel phaseout commitments (as highlighted in the ICJ advisory opinion), and reforms in global financial governance.

3.2. Promoting a Human Rights-based Approach to Climate Finance

Climate finance in Africa must be understood within the context of its many challenges, which include high levels of inequality and unemployment, increasing population growth in the face of high levels of poverty, and limited fiscal resources that accentuate the region's exposure to climate risks (Pillay & others 2025). Therefore, sustaining a human rights-based approach to climate financing enables Africa to bargain for its communities in global negotiations such as COP30. Without a human rights lens, climate finance can deepen harm. Donor-driven models often prioritise efficiency over equity, leading to projects that bypass or even displace vulnerable communities through land grabs, forced evictions, or diverted resources. Across Africa, there are already examples of climate projects that have led to land grabs, forced evictions, or the diversion of resources away from local communities (Cooksey 2024). Women, youth, Indigenous peoples, smallholder farmers, and informal workers - those most affected by climate impacts - are often the least able to access funds due to complex procedures, donor priorities, and weak safeguards, and in some cases are not even consulted.

A human rights-based approach goes beyond technical safeguards and policy language and ensures that affected communities have the power, resources, and information to shape climate responses. It requires that the design, allocation, and delivery of climate finance uphold the rights of those most affected by the climate crisis, including the rights to life, health, food, housing, self-determination, and a clean, healthy, and sustainable environment. It must be rooted in African legal and cultural contexts, address power imbalances, and reflect community-defined visions of justice. Finance mechanisms should not just avoid harm but redistribute power, enable meaningful participation, and confront historical and ongoing injustice.

Policy recommendations:

- Reframe human rights as enforceable obligations (e.g., leverage the ICJ advisory opinion to argue that states have binding duties to protect people affected by climate harm), and

anchor climate finance within these obligations to ensure financial support is delivered as a matter of legal obligation rather than aid or charity.

- Advocate for binding, rights-based criteria across all climate finance mechanisms (e.g, direct access for affected communities, independent oversight, and enforceable remedies for harm).
- Ground human rights protections in African frameworks (e.,g. African Charter on Human and Peoples' Rights, Maputo Protocol, national constitutions, and customary principles that reflect collective ownership, land justice, and community participation), ensuring that climate finance allocation prioritizes equitable access for vulnerable groups, women's land rights, and community ownership of resources.
- Invest in local capacity and community-driven accountability by requiring that a significant share of climate finance is delivered directly to local actors, as well as support for legal empowerment, and independent monitoring designed to protect rights holders.
- Reclaim human rights as a political and legal tool by shifting away from donor-driven safeguard checklists towards African-led priorities and structural transformation, ensuring that climate finance allocation is guided by African-defined rights frameworks where African countries set the terms and communities define the priorities.
- Africa should push for the creation of a climate finance grievance mechanism under the UNFCCC, enabling affected communities to seek redress and accountability when climate finance projects cause harm, displacement, or human rights violations.

3.3. Gender responsive climate finance

The numbers speak clearly: less than 3 percent of ODA climate finance explicitly targets gender equality (UN Women 2024). Even less reaches grassroots women's groups or addresses the structural barriers women face in accessing finance. In Africa, where women produce the majority of food, manage water and energy needs, and play central roles in household and community resilience, this is a massive failure.

Gender-blind climate finance fails to support those who are already driving the most effective and locally rooted responses. Worse, it can actively harm women by funding projects that displace them, increase their unpaid labor, or ignore their priorities in planning and implementation. This is not just a question of inclusion. It is a question of justice, effectiveness, and long-term impact. Climate finance that is not gender responsive will not succeed in building resilience or delivering equitable outcomes.

Gender responsive climate finance recognizes that climate change does not affect everyone equally. In Africa, women and girls, especially within rural contexts, often face the greatest risks and have the least access to resources needed to respond. A gender responsive approach ensures that climate finance is designed to address these inequalities and not deepen them.

This is not just about adding women to existing systems. It means transforming those systems so they reflect the lived realities, priorities, and leadership of women and girls. It means funding solutions that women are already leading in their communities, whether through food systems, water management, energy access, or climate adaptation. Gender responsive climate finance is guided by principles of equity, participation, agency, and intersectionality. It acknowledges that gender inequalities are shaped by other factors, including poverty, race, ethnicity, disability, and location, and that these must be addressed together.

Policy recommendations:

- Prioritize direct financing for women-led and community-based initiatives to ensure that grassroots women's groups and networks have direct, simplified access to climate funds without excessive administrative barriers.
- Integrate gender analysis into all climate finance mechanisms (e.g., require proposals, budgets, and reporting to include intersectional gender assessments with clear, measurable outcomes).
- Ground gender-responsive approaches in African realities by anchoring commitments in the Maputo Protocol, African Charter on Human and Peoples' Rights, and community-defined priorities, and ensure that climate finance allocations are contingent on meeting these frameworks to address structural gender inequities and directly support women's access to land, resources, and decision-making.
- Secure a fully financed and actionable Gender Action Plan (GAP) at COP30, including capacity support, data disaggregation, and enforceable means of implementation.

4. Conclusion

Africa should position itself both as a claimant and a leader in shaping global climate justice. Through leading alliances on reparations, gender justice, and human rights, Africa can effect a transformation of the climate finance architecture beyond COP30. Against this backdrop, COP30 is a defining moment for Africa to assert a unified, uncompromising position: climate finance is a matter of justice, not charity. The African Group must position climate finance as part of climate reparations, ground its demands in existing legal obligations under international law, adopt human rights-based approaches, and insist on gender-responsive frameworks that deliver tangible outcomes, not symbolic gestures.

COP30 is a defining moment for Africa to assert a unified, uncompromising position: climate finance is a matter of justice, not charity. The African Group must position climate finance as part of climate reparations, ground its demands in existing legal obligations under international law, adopt human rights-based approaches, and insist on gender-responsive frameworks that deliver real outcomes, not symbolic gestures.

The outcome of COP30 must deliver more than new pledges. It must enforce the existing obligations of high-emitting states to provide finance for climate-related harm under international law. The ICJ advisory opinion strengthens Africa's claim that reparative finance is already owed, not optional. To be truly transformative, climate finance must channel resources directly to affected communities, uphold human rights, integrate gender justice, and confront historical injustices. Only then can Africa lay the foundations for equitable, rights-based, and reparative climate finance that addresses past harms and secures just futures for the continent.

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