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POLICY BRIEF

A just transition can be advanced through framework climate laws

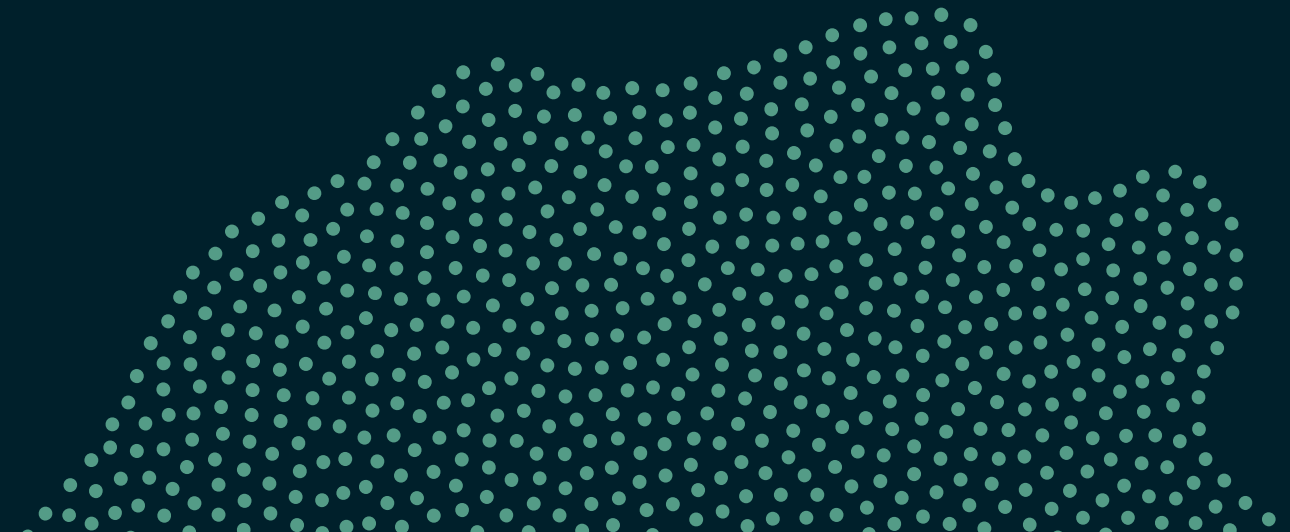
To ensure the legitimacy of climate measures and maintain public support for them, it is essential to identify and address their potential disproportionate societal impacts. One way governments have responded to this challenge is by incorporating 'just transition' provisions into existing climate governance frameworks. This policy brief presents three examples of such mechanisms, drawing on recent research (Johansson, 2025). These examples demonstrate how just transition provisions in framework climate laws can help ensure that climate actions are implemented in a more socially equitable manner.

Key takeaways:

1. Establishing **just transition as a principle** in a framework climate law introduces justice considerations to climate policymaking and provides a basis for further legal commitments in relation to it.

2. **Planning and attached reporting requirements** on just transition can ensure that the principle is translated into concrete policy considerations and efforts.

3. **Just transition advisory bodies** can strengthen the quality, legitimacy and enforcement of just transition considerations and measures.



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1. Establishing just transition as a legal principle for climate policymaking underlines questions of fairness

The need for a 'just transition' is recognized in the 2015 Paris Agreement but it does not establish legal obligations connected to the concept. National governments are, however, filling in the legal gaps by introducing just transition as a principle or requirement for climate policymaking in their national framework climate laws. Establishing just transition as a principle or requirement in the law creates expectations for fair climate policymaking and a legal basis for implementing that expectation through more specific legal commitments.

When establishing just transition principles in law, it is essential to establish a clear definition of the concept that acknowledges relevant justice concerns comprehensively, also reflecting the needs of more disadvantaged stakeholders that aren't necessarily well-represented in the legislative process. To gain legal effect, the principle(s) should further be given legal relevance in key policymaking processes, such as climate plans, as exemplified by the second recommendation. This provides a place for transforming potentially abstract principles into more concrete actions. This is illustrated by an example from Ireland on the right.

Case example: Ireland

The Irish Climate Action and Low Carbon Development Act amended in 2021 defines just transition in section 4 (8)(k) as:

> the requirement for a just transition to a climate neutral economy which endeavours, in so far as is practicable, to—
>
> (i) maximise employment opportunities, and
>
> (ii) support persons and communities that may be negatively affected by the transition;

The Irish Government has transformed this just transition requirement from the law into four actionable just transition principles to be followed within its climate planning (Irish Government, Climate Action Plan 2021: Securing Our Future, page 40):

1. An integrated, structured, and evidence-based approach to identify and plan our response to just transition requirements;
2. People are equipped with the right skills to be able to participate in and benefit from the future net zero economy;
3. The costs are shared so that the impact is equitable and existing inequalities are not exacerbated;
4. Social dialogue to ensure impacted citizens and communities are empowered and are core to the transition process.

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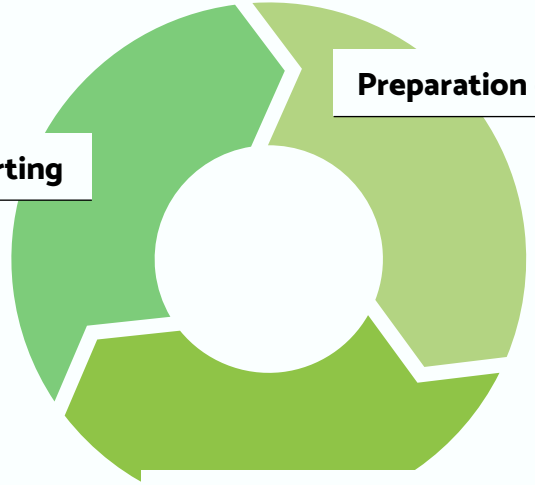

Preparation of the climate plans

A just transition **guiding requirement** for planning ensures that policymakers consider aspects of fairness already in the choice and development of climate mitigation and/or adaptation policies.

Reporting

Reporting obligations provide a way to follow up on governmental just transition commitments and can assist in their enforcement.

Climate plans

Substantive planning requirements obligate governments to include just transition considerations and policies in their climate plans. This could include laying out the societal effects of planned climate measures and the measures the government plans to take to mitigate potential adverse effects.

2. Planning and reporting requirements on just transition assist in transforming the principle(s) into concrete actions

Climate planning is one of the core governance mechanisms of climate policy-making. Through the plans governments commonly outline how they are to achieve relevant targets for mitigation and adaptation actions. Introducing requirements to consider just transition principles in all climate planning at all levels of government can ensure more just climate outcomes.

To have the most comprehensive reach, just transition should be included both as a principle guiding climate planning (**guiding requirement**), and as something having to be reflected on in the content of the relevant plans (**substantive planning requirement**). Introducing just transition as a guiding requirement for all climate planning can ensure that climate policies are planned to be as just as possible from the outset. A substantive planning requirement on just transition can instead guarantee that relevant concrete measures are taken to, among others, assess what type of disproportional effects the planned climate policies may have, and how they will be mitigated.

Introducing **reporting obligations** on just transition is in turn essential for ensuring the implementation of the legal commitments made towards a just transition. Reporting brings both transparency and connected accountability to governmental just transition commitments, which is essential for their enforcement.

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3. Just transition advisory bodies can contribute to the quality, legitimacy and enforcement of just transition considerations and measures

Just transition advisory bodies have been established in several countries for enhancing the fairness of governmental climate policymaking and for scrutinizing governmental actions. The forms of these bodies vary from partly governmental to fully independent. Nevertheless, they commonly include representatives from stakeholders that are seen as important in relation to just transition policies, such as social dialogue partners, social and environmental NGO's and other key interest groups, such as youth organizations. In contrast to scientific advisory bodies on climate change, these bodies are not primarily established to provide independent scientific output. Rather, they are expected to contribute with different knowledge and value-laden perspectives to governmental just transition policymaking to support its quality, legitimacy and enforcement.

However, a just transition advisory body that only includes societally prominent stakeholders might advance just transition policies that safeguard vested interests without addressing the concerns of more marginalized actors or the root causes of climate inequalities. The composition of a just transition advisory body thus needs to be inclusive, to reflect all relevant justice concerns.

The mandates of the advisory bodies include tasks such as:

PROVIDING ADVICE TO THE GOVERNMENT. This can include providing information on the societal effects of climate policies and/or suggestions for how to best mitigate disproportionate impacts through just transition policies. This advice can assist in supporting the knowledge base and quality of just transition responses.

SUPPORTING STAKEHOLDER ENGAGEMENT AND PUBLIC PARTICIPATION. Bringing the key societal stakeholders to discuss just transition policies and collecting views from the public can facilitate a common idea of what a just transition would require in the specific jurisdiction and support the legitimacy of governmental just transition policymaking.

SCRUTINIZING GOVERNMENTAL EFFORTS. This means that the body functions as a watchdog that follows up on the government's fulfilment of its just transition commitments and for example publishes reports that evaluate the government's performance. This function is essential for supporting the enforcement of governmental commitments.

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Mitigating climate change requires significant changes. However, in a democratic society, the actions of individuals and businesses cannot be restricted from above without considering the acceptability of these policy measures. The multidisciplinary 2035Legitimacy project explores, for example, the fairness and legitimacy of climate policies in general, its impacts on employment, income distribution and health, the concept of climate citizenship, and the barriers and opportunities for citizen participation in climate policy processes.

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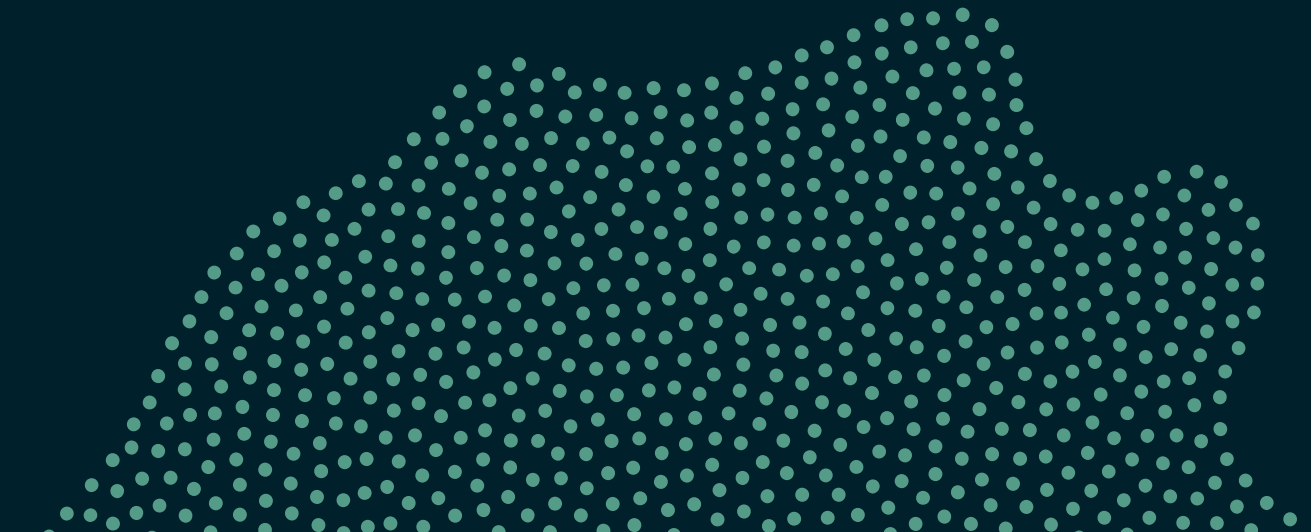

Read more

Vilja Johansson, 'Just transition in framework climate laws: Between meaningful governance and performative law' (2025) Review of European, Comparative & International Environmental Law
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