

The Three Ps

A Just Energy Transition Framework
for Communities in Africa



ACKNOWLEDGEMENTS

Natural Justice has developed this framework from its work with just energy transition across Africa. Natural Justice is an African organization specialising in the law, human rights, environmental justice and rights related to Indigenous and local communities. Our vision is a just and equitable society on a diverse and healthy planet where the rights and livelihoods of indigenous and local communities in Africa are secured.

We thank the communities and Indigenous People on the frontlines for their strength, resilience and determination. The power of communities is what will ensure there is justice in energy transitions.

This is a living document and should you have any comments, questions or edits, please contact Natural Justice Just Energy Transition Coordinator Lauren Nel at lauren@naturaljustice.org.

Contributor: Mapule Maeme

Edited by: Mercy Chepkemai and Dean Palmer

Authors: Claire Martens and Lauren Nel

Designer: Giselle Slabbert, TriggerDesign





TABLE OF CONTENTS

ACKNOWLEDGEMENTS	1
EXECUTIVE SUMMARY	5
INTRODUCTION	8
THE THREE Ps OF JET IN AFRICA	11
The purpose of this Framework	11
Why does Africa need its own framework for JET?	11
Elements of a Just Energy Transition in Africa	13
Potential downfalls of the Just Energy Transition	14
PRINCIPLES	15
The principle of Environmental Justice	15
Principles of energy justice and energy democracy	15
Energy Democracy	17
What does Energy Democracy look like?	18
Social and gender inclusion	18
POLICIES AND LAWS	19
Legal Principles	19
Free, Prior and Informed Consent	19
Meaningful Consultation	20
Right to access information	20
Right to a healthy environment	21
Basic services	22
Polluter pays	22
Laws promoting JET	22
Just Energy Transition Policies and Laws	23
Decentralisation	25

TABLE OF CONTENTS

PRACTICALITIES	27
We have the policies and laws, now what?	27
Energy justice in the just energy transition	27
How to plan for the just energy transition in your community	28
The advantages of communities participating in energy systems	29
How can government's support the development of community energy?	30
Benefit sharing	31
Reparations	33
Enforcement of rights	34
Land tenure and land rights	34
Accountability and monitoring	35
Funding the JET through Climate Finance	36
Public Finance	36
Investors and private finance	37
Alternative funding consideration	37
Important Financial Mechanisms for Community Energy Projects	37
What is important for communities to know?	38
A Call to Action	39
FURTHER READING	41

“ At Natural Justice, we have asked ourselves, *what will it take for communities to be an equal partner in the Just Energy Transition (JET)?*

More specifically, we have asked the question: what would a framework look like for the communities of Africa given the specific country context in which they live. The majority of just transition and Just Energy Transition principles/guides are either general or produced through the narrative set by the Global North.

There is a need for something specifically made for African communities and their contexts.

A JET provides an opportunity for countries to change or add more energy - but in addition, they can also change their societies. A JET can influence how society is governed, how a country develops and who benefits in the process.

Why? Because energy drives so much of what is happening in a country. It is essential for so many rights to be enjoyed, such as education, healthcare and access to water and food. Energy is also needed for economic and social development, including supporting small- and large businesses/industries. ”

The current energy systems in Africa

In many African countries, the way energy is currently produced and distributed is unjust! Firstly, countries may rely on fossil fuel production which contributes to climate change. Secondly, many people in the country may not have access to energy.

This means that the general energy system in Africa has the following characteristics:

1. The energy sources pollute the environment
2. Energy is unavailable or unaffordable for many
3. People can't make decisions about what energy sources they prefer to use
4. There is not enough energy
5. Export markets mean that energy leaves the country, even when there is not enough for the population
6. Renewable energy projects and transition mineral mining used to manufacture renewable energy, impact communities' land and environment and they don't benefit from the projects
7. Communities lose their land, livelihoods, cultural and spiritual rights etc.

What a Just Energy Transition can do for a country

While many think of the JET in terms of providing renewable energy, it is so much more!



A JET allows countries to stop relying on fossil fuels and nuclear energy, and instead to rely on renewable energies which are less harmful to the environment, more sustainable and less costly.



While generating energy from fossil fuels is often done in huge power plants, managed usually by governments, renewable energy generation is by nature more decentralised, for example a solar or wind farm. This means companies and communities can also generate energy.



Renewable energy generation can also be widely distributed. Energy can be generated closer to the places where it will be used. This has encouraged many developing countries to use renewable energy as a tool for attracting investment to remote, marginalised areas.



A just energy transition can address systemic inequalities between the Global North (highly polluting and highly industrialised countries) and Global South (countries that are less developed). It can ensure industries and supply chains, including transition mineral mining, is situated locally and that local people can benefit in a meaningful way.

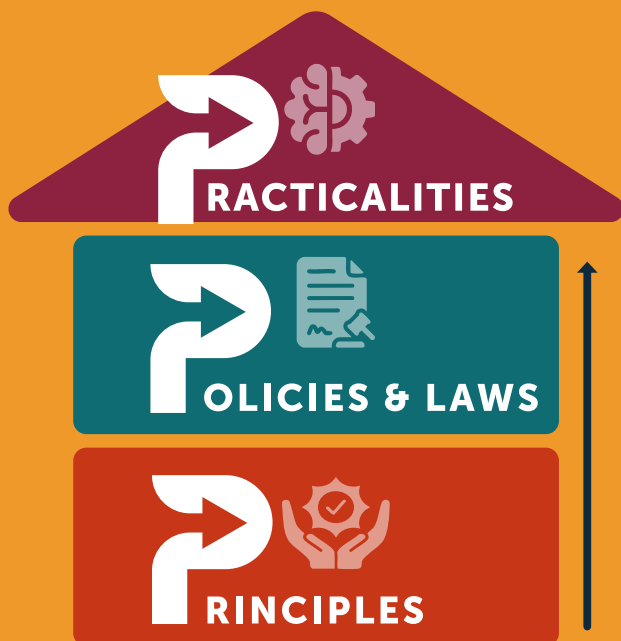


A Framework for Communities

The following **Framework for Communities** aims to provide a foundation for how communities can empower themselves to be partners in and benefit from the Just Energy Transition. It provides an understanding of the Just Energy Transition within the context of Africa and sets out a framework for pursuing a Just Energy Transition that is just, inclusive, understands the needs of communities and is based on democratic principles and human rights.

The framework is based on the Three Ps. These are the aspects that Natural Justice believes must be in place to move towards a Just Energy Transition that includes and benefits communities.

They are:



Why this Framework matters

African communities should not have to pay the price for the energy transition. They should never be worse off after a transition. They should also be compensated for previous and current harms caused by development - whether from fossil fuels or creating new energy systems. This might look like rehabilitation, new job opportunities and better access to clean energy.

Prevention of any harm should be prioritised through "future proofing", which means that any decision must be based on best practices including scientific data, risk management strategy, environmental impact data and consideration of alternatives. For more information, see ["Status of the Just Energy Transition in seven southern African states"](#).

African communities must benefit from the transition through skills development, technology, localized industries and economic, cultural, social and environmental upliftment.



INTRODUCTION

“Climate change is a natural process - however it is being unnaturally accelerated by industrialisation and greenhouse gases from various sectors in society. Across Africa, we see sea-level rise, floods, droughts, agricultural decline, more pests and diseases and heatwaves - results of global warming caused by climate change.

Global warming is caused by the greenhouse effect, where carbon emissions are trapping more heat in our atmosphere and making the earth hotter than it should be - which results in erratic weather.”

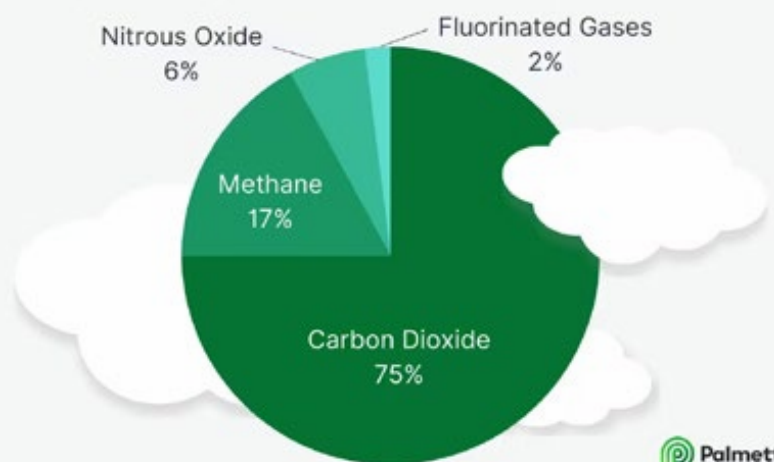
Watch: [Causes and Effects of Climate Change | National Geographic](#)



Most of the greenhouse gas emissions accelerating climate change come from only a few sectors - the most prominent being the energy sector - and from only a few countries (the highly industrialised “global north” countries and China).

Energy (which includes electricity/ heat, transportation and manufacturing/construction) contributes over 75% of greenhouse gas emissions (See World Resources Institute for more detailed charts).¹ Carbon emissions make up 75% of the total greenhouse gas emissions.

Greenhouse Gas Emissions by Source



Source: <https://palmetto.com/climate/greenhouse-gases-climate-change-definition-examples>

¹ <https://www.wri.org/insights/4-charts-explain-greenhouse-gas-emissions-countries-and-sectors>

What is a Just Energy Transition?

To reduce the impacts of global warming caused by climate change and uphold the Paris Climate Agreement (an international agreement to reduce fossil fuel use), countries have started to plan for Just Energy Transitions. This requires countries, individually and collectively, to think about how they can move away from fossil fuel-based energy systems and economies and move to renewable sources of energy accompanied by a just and equitable energy system.

From this definition we see that a Just Energy Transition has two main components:



A transition from predominantly fossil fuel-based energy sources to renewable energy.



The second component is “just” or justice. This will be explained in more detail as you read this framework.

Key concepts explained:



Communities:

In terms of this framework, communities refer to Indigenous and local communities.



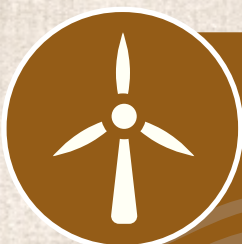
Fossil fuels:

Fossil fuels come from sources underground, known as “fossils”. As trees and plants die, they break down and become fossilised, and turn into oil, gas and coal. Burning these fuels release greenhouse gases.



FPIC - or Free, Prior and Informed Consent (FPIC):

Free, Prior and Informed Consent is an international legal principle. Having FPIC means that before any major decisions or actions are taken that could affect the rights or well-being of indigenous peoples and local communities, they have the right to be fully informed, participate in the decision-making process, and give and withhold their consent freely (without pressure).



Renewable energy:

Defining energy as “renewable”, “clean”, or “green” is sometimes political. For example, some countries want their nuclear energy production to be considered “clean” - however, nuclear energy has many issues which makes it not a viable solution compared to renewable energy.

Why say no to nuclear?



Nuclear energy will not create energy security and promote access



There are few or no jobs for local communities



Nuclear energy development hinders renewable energy development



Nuclear energy is expensive



Nuclear poses significant environmental and safety concerns

Source: <https://naturaljustice.org/publication/submission-nuclear-regulator-amend->

So, what is considered renewable?

The current consensus across 113 countries is that **wind, solar (photovoltaic and concentrated solar thermal), biomass, landfill gas, sewage treatment gas, biogas, small-scale hydropower, and geothermal energy** qualify as renewable energy sources.



Transition minerals: These are certain minerals that are used in the development of renewable energy components and infrastructure, such as minerals used in batteries and to manufacture batteries, solar technologies and wind turbines. Other terms used interchangeably are green or critical minerals.



THE THREE Ps OF JET IN AFRICA

“The three Ps are guidance on how a transition should be done right. A transition done wrong will be just as harmful to communities as the old ways of working. A transition should place communities in a better position than before.”

The purpose of this Framework

The purpose of the Just Energy Transition Framework is to provide communities with a practical guide to:

- **Understand** a Just Energy Transition that upholds human and environmental rights, and enables equitable and inclusive sustainable development;
- **Assess** whether the right factors are in place for a Just Energy Transition in their country;

AND

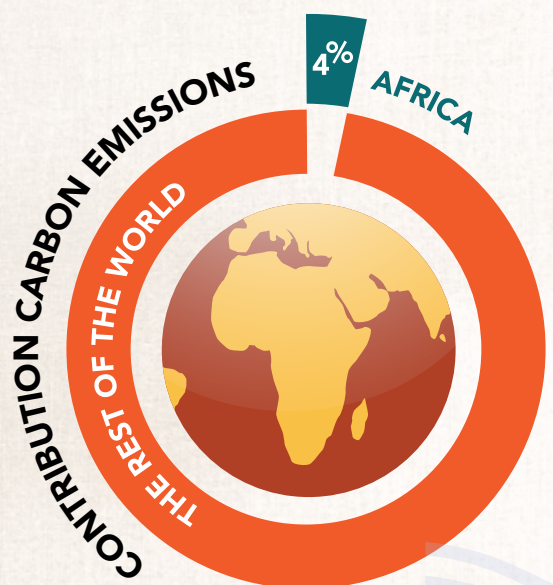
- Understand the ways they can shift these factors so that they can be **included** in, and **benefit from**, the Just Energy Transition.

This framework below is structured under three themes – what we will call the three Ps. They are **Principles, Policies and laws, and Practicalities**.

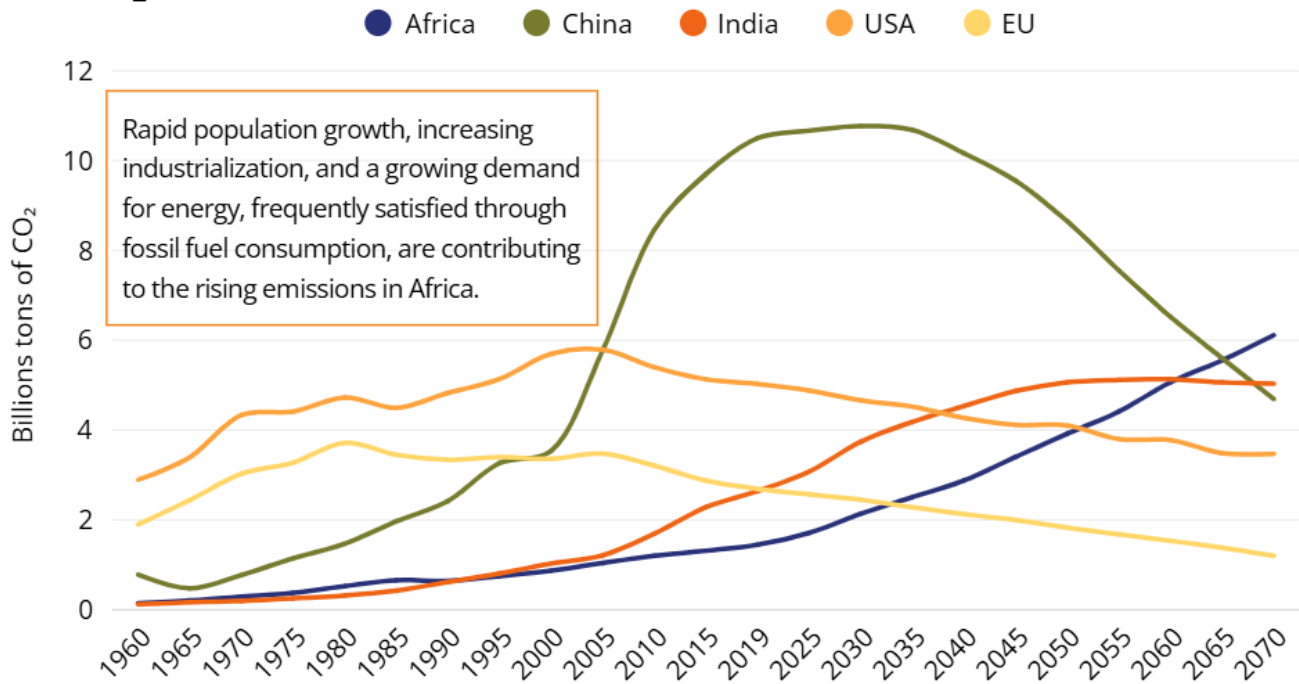
Why does Africa need its own framework for JET?

Africa is only responsible for 4% (four-percent) of greenhouse gas emissions in the world, with South Africa being the highest emitter on the continent. That means that most countries in Africa are barely contributing to climate change, but this is also because they are not heavily industrialised, and many populations live in rural and informal situations.

Many countries in Africa therefore have low levels of energy access and are still developing their energy sources to meet the needs of their current and growing populations. Though Africa is a small contributor to carbon emissions, should Africa continue with fossil fuels to meet all its energy needs and not invest in renewable energy with proper energy planning, some have estimated that by 2070, Africa will be the biggest contributor to carbon emissions.



CO₂ emissions: 1960-2070



Source: <https://futures.issafrica.org/thematic/14-climate-change/#summary>

Even though Africa does not meaningfully contribute to climate change, it is being impacted by climate change, mining operations and fossil fuel extraction. Many countries in Africa are sources of minerals and heavy metals. They are extracted by global north countries or more developed countries like China - which then benefit from this, while the communities where the mines are based, suffer from the environmental damage and pollution caused by mining.

A Just Energy Transition in Africa, with the exception of a few countries, is less about transitioning away from fossil fuel production, and more towards "energy development" - or creating new energy sources while not violating the human rights of communities and Indigenous peoples - as was seen in previous energy and mining systems.

Those in the energy justice space wish for Africa to decide its own energy development direction that meets the needs of people in Africa - but with an emphasis on justice for communities.



Elements of a Just Energy Transition in Africa

With its unique context, an African Just Energy Transition should have some of the following characteristics:

- Emphasises the distinct socio-economic contexts of Africa, including the distinct resources that African countries hold. Many African countries enjoy abundant renewable resources including abundant sun, wind, hydro, geothermal and transition minerals - which are critical for clean energy technologies.
- Acknowledges historical and current injustices - that developed countries have been able to develop their own energy production potential indirectly through the exploitation of African resources.
- Advocates for solutions that are decided on and driven by local communities, including cultural and indigenous peoples.
- Is deeply anchored in African values such as Ubuntu, communal ownership, and environmental stewardship.
- Addresses the socio-economic and energy needs of Africa first, before prioritising exportation of raw materials to other countries.
- Promotes Pan Africanism through “power pools” (cross-boundary power production), regional bodies and the African Union. Power pools are connected electricity systems across a region like the East African Power Pool. The final goal is to have one huge electricity grid across Africa - the African Single Electricity Market. For more information see the [African Continental Master Plan](#).
- Respects the land rights of communities and Indigenous peoples through free prior and informed consent (FPIC) and the right to say no - whether the rights are formal or informal.
- Includes gender-specific aspects from the planning stage to ensure gender-specific issues are addressed in an African context to ensure equitable participation and benefits.
- Recognises that communities should not pay for the damage caused by high carbon emitting countries.

Potential downfalls of the Just Energy Transition

Unequal energy consumption continues

Very rich people, and very rich countries, consume a vast deal of energy – much more than African countries do. If these patterns of consumption of energy continues (which benefits much less people and fewer countries), then the transition will only result in continued overconsumption of energy by the wealthy.

Regardless of whether the energy being produced comes from renewable or green energy, it will fail to provide equity and justice within the transition should not all people and countries benefit from access to affordable, green and sufficient energy.

Transition mineral mining causes damage to the environment and hurts communities

Mining for fossil fuels and minerals like gold and diamonds have resulted in much damage to the environment and infringed on the rights of communities, especially those living close to these industries. People have lost access to land, had pollution put their health at risk, have been paid poorly and had their environment destroyed.

Mining for transition minerals (like copper, cobalt, cobalt etc) can also lead to the same issues, if the rights of communities are not respected. The systems and laws around mining need to change and communities should benefit from the proceeds of the mining, instead of suffering.

Governments and communities take out loans they cannot pay and go into debt

Renewable energy projects and infrastructure require quite a lot of money, and as you will see later, may be accessed by governments and communities in the form of loans. However, if the terms and conditions of the loans are unequal and favour the bank/institution giving the loan, these loans may not be paid back and may result in the governments and communities going into serious debt.

The financial system must be considered, and grants, instead of loans, should be provided to the Global South countries and communities that are seeking financing for their transitions. This is in line with the international environmental principle of the “polluter pays”.

See: OXFAM (2025) Unjust Transition: Reclaiming the Energy Future from Climate Colonialism: [Executive Summary - Unjust Transition. Reclaiming the Energy Future from Clima VdxnZ9g.pdf](#)



“What is behind the Just Energy Transition? How can you ensure “just”, or “justice”, is at the core of the transition in the country you live in?”

Implementation of a Just Energy Transition must take into account the following principles:

The principle of Environmental Justice

Environmental Justice is about the process of decision-making and outcome of those decisions which impact the environment and communities. When there is “environmental justice”, everyone has equal use, enjoyment and protection of their environmental and natural resources - which includes the land and sea.

When decisions are made that impact people and nature, everyone that will be affected by the decisions are represented and consulted, and the ecological, physical, social, political, cultural, economic and other factors are all considered.

Why is it important?

Environmental justice gives people the ability to **influence, shape and control decisions** which impact their lives and the environment they depend on, and it allows them to participate meaningfully.

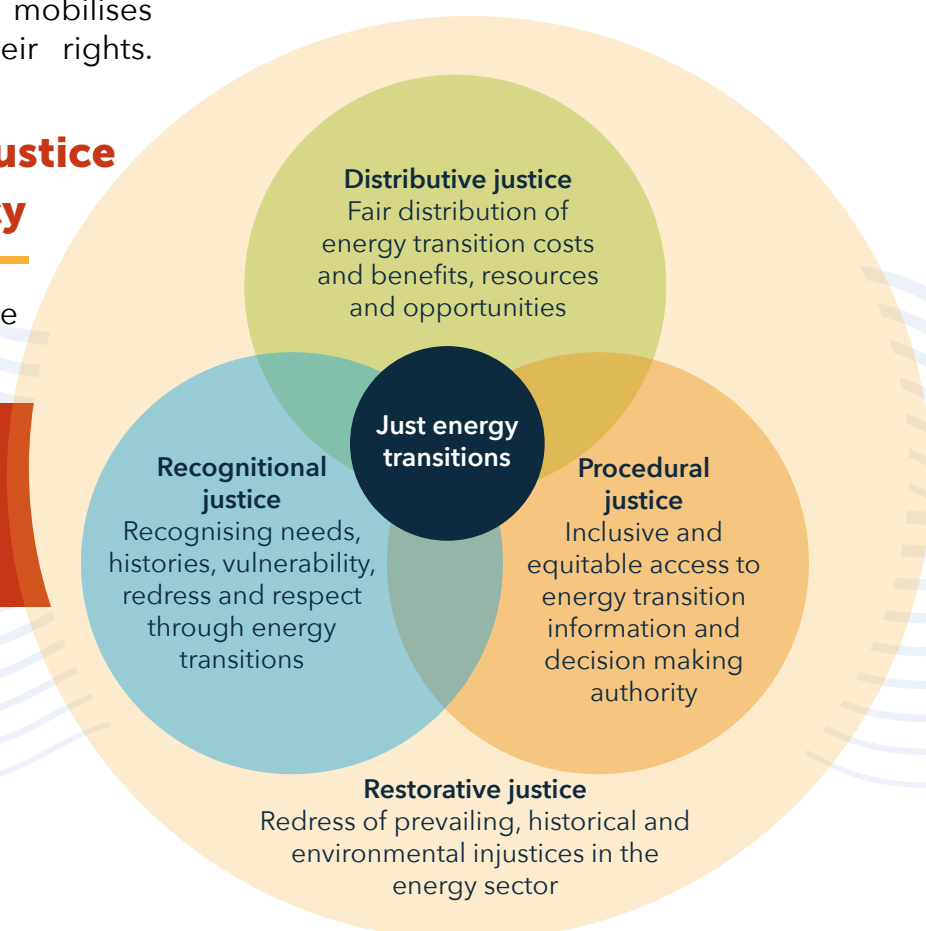
Environmental justice acts as an **organising mechanism** which mobilises communities to exercise their rights.

Without environmental justice, many people, especially marginalised communities, will be negatively impacted by pollution and environmental degradation.

Principles of energy justice and energy democracy

Energy justice is captured in the image on the right:

Source: ODI working paper https://media.odi.org/documents/Putting_the_just_in_Just_Energy_Transition_Partnerships-what_role_for_the_MDBs.pdf



What might be the practical application of these types of justice?

Distributive Justice:

In practice, distributive justice in the just energy transition means communities must have access to affordable energy sources. Communities, in many cases, have paid with their health, land and environment for energy sources (for example, air pollution from burning coal has led to asthma cases in children in their community) but, in the past, received no compensation or benefit through accessing energy (for example, energy generated by the coal mined in the area). This needs to be addressed in just energy transitions.

In some cases, affordability of energy means that electricity must be free and/or subsidised by others in order for everyone to benefit.

Reference can be made to the **“food first approach”** as outlined in the **Hungry for Electricity Report**². This report also refers to the fact that energy provided needs to meet the minimum threshold level of consumption. This means being provided with enough energy that supports socio-economic development. If the energy provided is too little, communities cannot uplift themselves out of poverty or better their socio-economic levels.

The standalone right to sustainable energy

As energy in the form of electricity has developed, it has become a necessity to function in today's society. People are able to access certain rights through having energy access - for example, they have access to healthcare and education. Presently energy is an indirect right. However there is a debate that there should be a standalone right to sustainable energy for all. Meaning that all people should have a certain amount of energy to be able to access all other connected rights. For more details see [“The Right to Sustainable Energy”](https://naturaljustice.org/the-right-to-sustainable-energy/)³.

Distributive justice should also allow communities to explore job opportunities and skills development opportunities within JET. In the past, only low paying and temporary jobs have been provided by the energy sector. A just energy transition should provide skills development to allow communities to access high paying, highly-skilled jobs: for example, engineering, bookkeeping, accounting.

Job and skills development opportunities should be provided to communities in the immediate area and not be outsourced. Having people from outside the community coming in and benefiting from jobs can disturb social cohesion and cause conflict within communities.

Communities who have renewable energy projects or transition mineral mining on their land should be able to have the right to FPIC and the right to say no. Should a community consent to the project, the community should receive shares from government revenue or shareholding from the energy project.

Procedural Justice:

Procedural justice means that, before and during the energy transition, all policies, procedures and projects are inclusive and transparent when it comes to decision making. For communities, this takes the form of meaningful public participation. Needs of communities can only be known through listening to communities themselves, instead of using pre-supposed models where needs are presumed or communities are dictated to.

Meaningful engagement entails explaining to communities in ways that communities understand and can appreciate energy planning. This includes providing translation, understanding the culture of communities and the social structures.

Communities must receive transparent information when it comes to transition minerals and renewable energy projects - understanding exactly how they might benefit - and how the project might have negative consequences for their environmental, land rights and human rights.

² <https://pari.org.za/hungry-for-electricity-now-available-in-two-languages/>

³ <https://naturaljustice.org/the-right-to-sustainable-energy/>

Restorative Justice:

Communities who might be suffering from pollution or unrehabilitated mines, may demand that they are provided with environmental protection and compensation. Fossil fuel and extraction industries are still having an impact on communities and Indigenous People across Africa. Examples can be seen in Nigeria with the oil sector, Democratic Republic of Congo which has cobalt mining and South Africa with the pollution caused by coal power.

For these communities and Indigenous People, there has been no compensation for the price they already paid with their health, land and livelihoods.

How to view energy sources with energy justice - cooking

Part of supply chain	Gas supply chain	Solar supply chain
Extraction → → →		
Supply to consumers → → →		

When any energy source is used, energy justice is applied across the full supply chain of that energy source. For example, when you use gas to cook, the supply chain of extracting that gas should be considered when determining whether it is an energy source that is clean. The same applies for solar cooking, that requires certain minerals which need to be mined. All energy sources have an impact on the environment, but energy justice dictates choosing the energy source that promotes the principles of energy justice.

Energy Democracy

The Energy Explainer video on the right answers the question:

What is Energy Democracy?

We define it as a renewable energy system governed by people. The key to energy democracy is community control. When everyday people and communities have a say in decisions being made about their local electricity, we can ensure that everyone has access to affordable or necessary electricity they require to have a dignified life.



Watch: [Energy Democracy: Explainer](#)

What does Energy Democracy look like?

- 1 A Just Energy Transition is implemented in partnership with state, business, communities and labour – and renewable energy becomes part of the energy mix of a country gradually to replace all fossil fuels.
- 2 Energy is provided to communities or the public at large, including free basic electricity which is subsidised for those who cannot afford it (i.e. access to energy is a human right). Energy is seen as a societal good and necessity.
- 3 Some energy projects might be owned by communities, and they are able to be part of providing energy to the national grid and to benefit the community as a whole from the proceeds.
- 4 The public can make decisions in energy planning.
- 5 Parts of society do not pay the price for energy sources, especially fossil fuel sources, for others to have access to energy.

Social and gender inclusion

The Just Energy Transition demands that there is social inclusion. **What does this mean?**

Related to environmental justice and energy justice, social inclusion requires inclusion of all – in other words inclusion of vulnerable groups; women; youth; culture; ethnic groups; informal and formal workers; elderly, in the process of the transition and the benefits of transition.

Communities must be part of the support, training and new opportunities that are presented by a JET. These can include reskilling and training initiatives, as well as targeted social protection programmes (for example, when workers in the fossil fuel sectors lose their jobs and receive a small stipend from the government or mine, to support them while they look for other jobs).

From: Natural Justice. 2024. The Path to Clean Energy: How Legislation and Policy Can Create an Enabling Environment for the Just Energy Transition. Natural Justice: Cape Town <https://naturaljustice.org/publication/the-path-to-clean-energy/>.

The just energy transition needs to include recognition of the difference in impact and struggles faced by women. Women are generally the members of the household who provide for the home – from energy, water, cooking and providing for children and the elderly. This means the lack of energy acutely impacts women who need to find sources of energy, including for cooking (such as wood/biomass). This work being provided is generally unpaid.

For a just energy transition, there needs to be awareness to provide women with access to energy and payment for their unpaid time to ensure gender equity and justice. For reference to gender principles please see [Spark website](#).



Legal Principles

Before discussing what laws need to be in place to provide for a Just Energy Transition, let's look at some legal principles that put the "justice" into the JET.

Free, Prior and Informed Consent

Free, Prior and Informed Consent (FPIC) is an international legal principle. Having FPIC mean that before any major decisions or actions are taken that could affect the rights or well-being of indigenous peoples and local communities, they have the right to be fully informed, participate in the decision-making process, and give their consent freely and without pressure.

In the context of the Just Energy Transition, FPIC is crucial because it ensures that Indigenous peoples and local communities who may be directly affected by energy projects or policies have a say in those decisions. It recognises their rights to their land, resources, and ways of life, and protects them from potential negative impacts caused by the transition to cleaner energy sources.

FPIC involves the right to withdraw consent. The withdrawal of consent is typically recognised where consent has been improperly obtained or where the conditions upon which consent was given have been violated. To provide certainty and manage expectations, companies may wish to agree with the community, in writing, to the terms upon which consent may be withdrawn.

Breaking it down, FPIC means:

- 1 Free** = consent must be given voluntarily and without coercion, intimidation, or manipulation.
- 2 Prior** = consent must be sought sufficiently in advance of any authorization or commencement of activities to allow time to understand, access, and analyse information on the proposed activity.
- 3 Informed** = information provided prior to seeking consent must be accessible, objective, and complete.

Only when communities agree to relocation from land should it be able to take place and not the notion that due to a project being renewable energy, communities should have no choice. FPIC is about choice lying with the communities impacted.



Meaningful Consultation

Although unlike Free, Prior and Informed Consent, meaningful consultation is not a legal principle, it is becoming internationally recognised as a concept within the decision-making space.

Meaningful consultation means that governments and project developers must go beyond mere information sharing and a conversation with those communities who might be affected by a plan, policy or project – towards an engagement in which both parties actively listen, engage, understand and make decisions.

How does this look in practice?

1 Affected communities must have a meaningful say about a project.

The project developers/state must listen to community concerns and take feedback into account when making decisions about a project. Public meetings should be in a language understood by the participants or translation should be provided. Women, the elderly and youth should be present and should be invited to voice their opinions. Comments and feedback should be included in the final policies, plans or project.

2 All of the information about a policy, plan or project, including the potential risks and benefits, is provided in a way that is easy to understand.

The information must be clear and provided ahead of time. This must be provided in the languages used by the affected communities and in a manner that can be understood. This includes making sure that policies, plans or projects are accessible to people who cannot read, those with disabilities and that they are culturally appropriate.

A policy, plan or project must be designed in a way that meets the needs of the people who will be affected by them and/or highlight any areas of risk that there may be.

Different opinions about a policy, plan or project should be listened to and incorporated. It also means using the knowledge and experiences of people who will be affected and designing the policy, plan or project based on these.

Right to access information

The right to access information means that individuals have the right to obtain information from the government or other public authorities about decisions, policies, and actions that affect them and their communities.

In the context of the Just Energy Transition, the right to access information is important because it ensures transparency and accountability. It allows individuals and communities to be well-informed about energy-related decisions, projects, and policies that may impact their lives, environment, and well-being.



Types of information needed

The right to access information means Communities will need information on:

- ✓ The climate science (what is climate change, how will it affect the country and their community)
- ✓ Key concepts and ideas around the JET
- ✓ How the government sees a Just Transition taking place
- ✓ How energy is currently developed and distributed
- ✓ How communities can influence decision-making on the types of energy
- ✓ The reasons behind energy transition initiatives
- ✓ The specific plans and actions being taken
- ✓ The potential benefits and drawbacks

The information must also be readily available and easily accessible. For example, project developers and/or government cannot assume that all community members have access to social media, the internet, or e-mails.

Right to a healthy environment

In international law and regional law, there has been recognition of the right to a health environment including for future generations. This means energy sources must be chosen based on respecting the right of communities to a healthy environment, which means the least damaging energy sources should be prioritised. In many countries laws and policies, this right or protection is afforded.

Source	Wording
 United Nations - The human right to a clean, healthy and sustainable environment	Recognizes the right to a clean, healthy and sustainable environment as a human right that is important for the enjoyment of human rights.
 African Charter on Human and Peoples' Rights	All peoples shall have the right to a general satisfactory environment favourable to their development.
 Kenyan Constitution	Every person has the right to a clean and healthy environment, which includes the right-- (a) to have the environment protected for the benefit of present and future generations through legislative and other measures.
 Mozambican Constitution	Right to a balanced environment...The State and the local authorities, with collaboration from associations for environmental protection, shall adopt policies to protect the environment and shall promote the rational use of all natural resources.
 South African Constitution	Everyone has the right to an environment that is not harmful to their health or well-being.
 Senegalese Constitution	Everyone has the right to a healthy environment.

Basic services

This includes education, water, medical and health services. For these services, energy is a necessity, and thus an indirect service that needs to be provided. The importance of access to affordable and clean energy is recognised by the United Nations through [Sustainable Development Goal 7](#). Sustainable Development Goals are calls to action for all states around the world.

Polluter pays

International environmental law recognises the principle of the polluter pays. This means should a country, company or person pollute the environment, they need to remedy the damage with compensation/restoring the environment.



Laws promoting JET

As we have seen so far, JET is not just about transitioning from fossil fuel-based energy to renewable energy, but how we achieve justice, inclusion and democracy in the process. It is an exciting opportunity for communities to benefit.

However, without the framework of laws in place, the just transition will be hindered, people's right will be infringed, and the environment will be harmed.

Just Energy Transition Policies and Laws

In every country, policies and laws can help a Just Energy Transition or frustrate/hinder a Just Energy Transition. We will explore certain legal and policy approaches that can do both.

Policies that help ✓

Climate change policies that result in government and the private sector having to reduce their greenhouse gas emissions. This will push the government towards renewable energy development, as renewable energy reduces a country's carbon emissions.

Policies and laws which promote environmental justice, energy justice and social and gender inclusion.

Policies and laws which use future proofing to ensure energy planning is done in line with best scientific, environmental and economic research.

Policies that allow renewable energy companies and communities to enter the market in order to sell the energy they produce.

Energy policies that allow for renewable energy power producers to sell power to the national grid.

Tax laws that incentivise renewable energy. For example, a carbon tax will mean that those companies that are using fossil fuels, will need to pay a tax due to the GHG emissions from the fuels. On the other hand, a tax exemption might exist to allow for the importation of renewable energy products.

Policies that consider energy access as a human development need.

Policies that hinder ✗

Any policies that favour fossil fuel development and are not in line with climate change and environmental law policies.

Policies that reduce people's ability to know about or make decisions on energy planning.

Policies and laws which used skewed or outdated research and result in fossil fuels or projects that do not benefit communities and environment being in energy planning and projects.

Policies that make it expensive or difficult for local communities or private companies to enter the energy sector.

Policies that make energy production and distribution only the business of the state. This means that the state can control decisions around energy development. They can also set the costs of accessing electricity.

Tax laws that favour fossil fuel development. For example, not expecting fossil fuel companies to pay high tax rates.

Policies that favour providing energy to large companies and energy-hungry sectors at a reduced rate, over the needs of households and communities.

Policies that help

Subsidisation and industry policy to localise manufacturing of renewable energy for communities to be able to replace expensive fossil fuels.

Policies that allow for local municipalities to choose to buy from cost-effective and sustainable energy sources.

Policies and laws which consider regional integration of energy planning which is beneficial to communities and the environment.

Policies relating to energy justice that integrates into policies that touch on other issues: such as labour and land policies.

Policies that allow for funding access to communities to build renewable energy systems that is accessible.

Policies and laws which create electricity/energy systems that address inequality in energy markets, energy access and energy poverty. Policies that make governments choose the least cost energy sources.

Policies that prioritise community beneficiation from private renewable energy projects that is meaningful - like dignified work, reskilling, access to energy, and building local economies.

Policies that hinder

Subsidisation of fossil fuels by the state to lower the price of fossil fuels. These subsidies are paid to fossil fuel companies and come from the state's monies - including taxpayers. These funds should rather be used for renewable energy subsidisation. However, caution must be used in ensuring there is replacement for fossil fuels before removing subsidies or the poor who rely on fossil fuels cannot afford any source of energy.

Policies that do not allow involvement, decision making and participation of local government in energy planning and distribution.

Policies and laws created with only a single country or area in mind, without considering the ripple impacts or external factors - like fluctuating market prices or interruption of energy supply.

Policies and laws which only consider energy transition and not issues like labour and land.

Policies that lower standards for environmental and social protection aspects to bring in more private investment at any cost.

Policies and laws which only benefit the wealthy and businesses in the energy sector and do not address energy access and poverty.

Policies that provide reskilling with no employment opportunities for local communities and less valuable community benefits - like moving communities to less arable land in relocation or giving temporary employment only.

Decentralisation

Decentralisation is a policy choice. It means that the national government, or state, is willing to give up its centralised control over planning, decision-making and all development.

Centralised energy systems

The state develops and owns all energy projects, and owns the means to distribute energy to communities, companies and businesses.

All decisions about energy are made at the central level – by national government.

Decentralised energy systems

Communities and private companies can create energy, or own the means of distribution of energy.

Funding, resources and policies allow for locally owned and managed energy production and distribution. Decisions for energy planning are made at a local government level – where the needs of communities are addressed.

Important Legal frameworks that promote inclusion of communities in the just energy transition

The legal framework recognising the right of access to information and public participation on an international and regional level are mentioned below:

International Frameworks:

1. [Universal Declaration of Human Rights](#): Article 19 and 21.
2. [International Covenant on Civil and Political Rights](#): Article 19 and Article 25.
3. Preamble of the [Paris Agreement](#).
4. The [Resolution recognizing the human right to a clean, healthy and sustainable environment](#).
5. [Aarhus Convention](#): public rights regarding access to information, public participation, and access to justice in environmental matters

Regional Frameworks:

1. [African Charter on Human and Peoples' Rights](#): right to access information (Article 9) and public participation in governance (Article 13).
2. [Declaration of Principles on Freedom of Expression and Access to Information in Africa](#) 2019 – Part 1 and Part 3

National Laws

The laws within a country that foster or promote the Just Energy Transition will differ from country-to-country. However, there are some key themes/types of laws that need to be in place.

1 Laws that promote the development of renewable energy technologies and projects.



Laws that protect land and cultural rights.

2 Laws that reduce the use of and dependence on fossil fuels.



Laws that provide local communities with opportunities in the just energy transition to create local economies and benefits.

3 Laws that govern and protect the environment.



Laws which promote access to information and promote gender equality.

4 Laws that call for adherence to international treaties.



Laws that promote public participation and democratic decision-making.

5 Laws that provide people with opportunities to understand the risks of certain developments. These might include laws that allow for public participation in planning, environmental impact assessments and other processes which indicate the threats of developments.





KEY CONCEPTS

Blended finance: Finance provided in part by state and in part from private companies.

Energy justice in context of energy projects: Ensuring that energy projects respect and promote the rights of communities; including that a social contract is made between community, state and businesses. Energy justice being promoted allows for certainty for energy projects to progress with the community benefitting in accordance with a community beneficiation agreement that is fair and just.

Feed-in Tariffs: For any consumer who is about to feed excess electricity into the national grid, Feed-in Tariffs are payments paid back to the consumer in the form of lowering electricity bills or actual money.

Reparations in energy justice: Some form of payment or benefits that are provided to countries who are being worst affected by climate change, by the countries that have heavily polluted in the past and contributed the most to climate change.

Community-owned renewable energy (CORE): Energy systems owned and controlled by a community.

Socially-owned renewable energy (SORE): Energy systems that are democratic in nature and are created and used for societal good.

We have the policies and laws, now what?

Even when a country has laws and policies in place that supports a Just Energy Transition, there are some practical things that are required for the just transition to take place, and for communities to benefit.

The next section will cover some of these key practicalities in the form of providing information on:

- Practical steps that can be taken by communities and people ensuring a just energy transition;
- Practical steps to ensure states and companies are promoting just energy transitions.

Energy justice in the just energy transition

Generally, states are seen as needing to de-risk the energy law, policy and environment within a country to encourage private investment into the energy space. In other words, companies or other governments that want to join the just energy transition within a country must be encouraged to do so by providing a good financial and administrative space for them - with laws that help them invest, a stable economic climate, willing citizens and cooperative governments.

Communities have a fundamental role to play in de-risking which should be recognised through energy justice. Without communities buy in and social agreement, energy projects developers and private investors will not have that certainty required. This means communities need to be meaningfully consulted, brought into the energy transition as a partner and recognised.

Communities can take active steps to do this by planning, participating, knowing what community beneficiation will be required, enforcement of their rights inclusive of gender and youth, demanding payment for past harms, capacity building and knowledge sharing, holding state and private companies accountable and monitoring compliance, and lastly, understanding and being part of processes of financing.

How to plan for the just energy transition in your community

- Establish local Just Energy Transition committees/forums to plan and agree what your community wants in terms of energy projects that will come to your area and as a community, what you can do collectively for now. For example, can the community invest in solar lights through a community-run savings organisation or engaging jointly with companies or energy project developers in the area?
- Map the needs of the community; including knowing how much energy the community needs to meet its needs, knowing whether your local government is providing you with electricity/energy in terms of legal obligations, and what potential there is for socially owned renewable energy, including feed-in tariffs.
- Define what energy justice and energy democracy means to your community.
- Approach civil society, state and nonprofit organisations to provide training, workshops and resources on just energy transitions, energy planning and energy laws and policies. For example, Natural Justice has developed a Just Energy Transition Guidebook for communities in South Africa and Kenya.
- As a community, record how local and traditional knowledge is placed in just energy transitions.

EXAMPLE: Community scorecards

Communities could create their own monitoring and compliance systems like developing a just energy transition scorecard which tracks aspects which matter to the community like:

- ★ Energy access
- ★ Energy affordability
- ★ How much energy is needed
- ★ Local employment created and the quality/duration of the employment
- ★ Gender inclusion in decision making
- ★ Community benefits promised versus provided



The advantages of communities participating in energy systems

Socially-owned Renewable Energy (SORE) is a broad term that promotes the democratisation of energy for societal good. They are advantageous because:

SORE projects can be community owned, or developed through partnerships with companies, government and NGOs.

SORE projects are energy sources that promote renewable energy and thus address issues of climate change.

Community-owned Renewable Energy (CORE) means community ownership of energy systems and falls under SORE as a specific model.

CORE means that communities are able to create and own their own energy systems. For example, solar on small- and larger-scale energy systems and biogas.

CORE addresses and protects the right to a healthy environment and promotes Sustainable Development Goal 7 by bringing environmentally friendly forms of access to energy for communities. CORE addresses socio-economic and energy inequality in relation to access and affordability, especially in rural areas.

CORE can uplift communities to be able to use energy for productive purposes; including localised businesses and industries.

CORE may be able to lower costs of electricity or make an income from feed-in tariffs (FITs) from an energy project that not only supplies power to the community but also brings in an income through excess energy usage.

CORE requires political will and governments not purposefully creating policy or law which limits independent energy systems. Governments must not, for example, tax solar systems and must not recreate difficult application procedures for licenses or unclear procedures on how to benefit.



How can government's support the development of community energy?

Description	How?
Government sponsored low-interest loans	A government loan can assist cooperatives and community organisations with the initial expenses of a project, and reduce the amount of interest paid over the lifetime of the loan. These loans must be only granted to individuals from low-income households and from communities. These loans should be regulated and protected by an independent entity to ensure no corruption or theft.
Reducing or eradicating taxes on community energy projects	An example of government introducing a Value-Added Tax exemption on solar panels and equipment used for these projects.
Support Simplified Licencing & Permits	Reducing administrative obstacles will help communities to start energy projects more easily.
Technical Advisory Services	Offering professional direction on operation, finance, and project planning.
Community Involvement and Ownership	Requires a percentage of shares in renewable energy projects to be community-owned.
Investment mobilization	Promoting Public-Private Partnerships which means that communities can partner with companies.
Support community energy authorities or NGOs raising awareness	Provide ongoing notification of funding opportunities.
Research capacity in renewable energy auctions for community projects	Introducing policy and law setting up auctions which are specific and accessible to communities.
Ensure that feed-in tariffs respond to the specific needs of community ownership and smaller-scale investments.	By understanding and leveraging the benefits of FITs, project managers in the energy sector can play a pivotal role in driving the global transition to a sustainable energy future. Incorporate mechanisms such as tariff degression, which gradually reduces payment rates over time as technology costs decline.
Development bank resources being made available to communities.	Governments should include communities in energy planning and make available funding from development banks/financial institutions to communities to build the national energy system.

Potential Community-owned Renewable Energy Models

Model 1: Mini Grid

Ownership of green-mini grids, including mini-grids powered by renewable energy resources - solar radiation, wind, hydropower, biogas - either exclusively, or in combination with other energy sources/grid. Ownership can be formed through community trusts, co-operatives or non-profit organisations, either exclusively, or in combination with other energy sources/grid. The ownership structure can take many forms, such as, household corporates, community trusts, or non-governmental organisations.

Model 2: Co-operative small scale embedded system

Small-scale embed systems are different from mini-grids in that they are smaller - like having solar panels on a house, hall or school. They are also generally connected to the grid and used more so as back-up power. They are not able to replace all energy needs.

Model 3: Worker Owned Independent Power Producers

A group of workers or trade union members collective fund and own a renewable energy installation.



Benefit sharing

Community Development Agreements or Local Benefit Agreements must be conditions of any new renewable energy or transition mineral project. These agreements make sure that everyone involved knows their rights, roles, and what they are responsible for, including dispute resolution when two parties have a dispute.

All communities and persons who will be impacted and are in vicinity of the project (such as solar or wind) must be involved - including those impacted by the movement of people to their communities which result in a strain to resources.

Local persons should be prioritised for skill and employment in these projects. Communities should not pay the price for development in an area and unless there is improvement in their lives, that project is not in line with the principles of a just energy transition.

Examples of positive benefits that can be negotiated:

1. Access to clean energy
2. Water supply
3. Local job opportunities
4. Support for local businesses
5. Capacity development and training
6. Technology transfer
7. Improved infrastructure
8. Access to credit and markets.

Benefit sharing can be local procurement and skills development clauses in contracts with companies involved in the energy transition. This means that companies must prioritise local people and local markets.

Workers who were employed in the fossil fuel sector (such as mine workers), but who are losing their jobs as the sector declines, can use existing skills, upskill and re-train in order to be able to work in the renewable energy sector.

The benefits in employment opportunities

JET opens up new kinds of jobs, not just in manufacturing and mining.

Certain technical skills are potentially transferable within occupations. However, it is important for communities to call for the new skills that are needed for JET to be prioritised by training institutions. The skills for a Just Transition can include:

- Social research skills to assist governments to understand community needs including energy access
- Entrepreneurship for building businesses within the renewable energy space
- Skills used for policy development (policy drafting, mobilisation of communities, facilitation)
- Skills in engineering and construction
- Skills in mining (for critical minerals), large scale; small scale and artisanal mining
- Skills in infrastructure development, and technical and electrical skills
- Waste management
- Skills in the automotive industry, as it moves to green (or electric) vehicles
- Architectural skills for green buildings
- Skills that support creating energy efficiency and smart buildings
- Skills in designing new technologies
- Skills in training others
- Skills in recycling and scrap trading

Skills training must result in employment for it to be effective.

Skills training should not be limited to formal employment but must be provided to all - as a societal good. This includes informal trades that are tied to fossil fuel energy which are overlooked; like artisanal miners mining for coal, women who provide lodging and catering to workers from fossil fuel energy production or mining.

JET promotes the idea of “decent work” - where people get a liveable wage, work in healthy and safe environments and where companies operate within the confines of the legal system of the country (provided the laws are just).

Reparations



Reparations are payments or compensation that is paid to someone you have wronged or harmed. Why would the global north, or developed countries, need to pay for any reparations to Africa?

“Imagine a world where you are able to consume electricity whenever you require it, with barely any power cuts, and where water and food are always available. Imagine not being told your community needs to be moved from your land for development and your home is untouched. Imagine being able to benefit from your energy sources and build industry, with high employment rates and low poverty rates.”

These ambitions are possible for Africa, with some enjoying this in the global north and more developed countries. These countries use the natural resources they procure, including from Africa, to build these lives.

Conversely, the majority of Africans, where these natural resources are obtained, do not enjoy these benefits.

The energy a person in Africa demands is one-fifth of what is demanded in the global north. In other words, for every one part of energy a person in Africa needs, a person in the global north will be able to have five times more.

These inequalities are highlighted in the table showing how much chosen countries have contributed to carbon emissions historically, how much carbon emissions were contributed in 2022, what the average electricity usage of a person is and the rate of power cuts in a country - measured in 2019.

Country	Historic carbon emissions ⁴	Contribution to carbon emissions globally (2022) ⁵	Average electricity usage (in kWh) per a person per a year ⁶	System average interruption duration index in hours 2019 ⁷
United States of America	25%	12,6%	11 855	1.3
China	12,7%	32%	3 963	0.9
South Africa	1,3%	1,05%	3 617	30.5
Kenya	0,21%	0,056%	163	12
Nigeria		0,32%	126	Grid collapse 11 times ⁸
Democratic Republic of Congo		0,0092%	89	Many power cuts or no access ⁹
Senegal		0,031%	233	17.4

⁴<https://ourworldindata.org/contributed-most-global-co2>

⁵<https://www.worldometers.info/co2-emissions/co2-emissions-by-country/>

⁶<https://www.worldometers.info/electricity/>

⁷<https://databank.worldbank.org/source/doing-business/Series/IC.ELC.SAID.XD.DB1619>

⁸https://www.thecable.ng/blackout-as-power-grid-collapses-11th-time-in-2019/#google_vignette

⁹<https://globalpressjournal.com/africa/democratic-republic-of-congo/hydroelectric-dam-no-reliable-power-outages-plague-kisangani/>

From the table, it becomes clear that countries who are more developed, have and are still contributing the most to carbon emissions, with more power being used and less power cuts than in African countries. This means developed countries should contribute to Africa to build its energy systems, especially due to the demand from Global North and resources already taken from Africa. This demand now includes transition minerals, carbon markets and export products like green hydrogen.

A suggested mechanism which could be used is a global south energy equalisation fund which is pooled funding from the global north and highest carbon emitters, to subsidise energy access, infrastructure and

technology transfer for communities, including marginalised groups who are most impacted by climate change and past harms.

Immediate action could be fair and appropriate pricing on raw materials in respect of percentage of the profits made off the final product produced in the country of import. In other words, a royalty is paid to the local community in the area where the raw material was procured by the entities producing the final renewable energy projects and/or technologies relative to the profit being made by that entity. This would mean a substantial percentage of profit is paid over to the communities who have paid the price for resourcing of that material.

Enforcement of rights

Land tenure and land rights

The Just Energy Transition will require huge portions of land for the development of renewables, mining of minerals, and associated industrial processes, which will impact on the communities' land rights and the environment.

In order to ensure that the Just Energy Transition is fair and equitable, the rights of all stakeholders must be respected. Communities that own, lease or occupy land must have their rights respected.

This includes ensuring that:

1. Communities have a meaningful say in the development of renewable energy projects on their land.
2. They are provided with an opportunity to give Free, Prior and Informed Consent.

Project developers must ensure that they do not create divisions in communities, that they determine if there are land claims or disputes, and ensure they act in a fair and transparent manner.

If communities decide to move from their land, they must be adequately compensated for the land, which compensation does not only cover the price of land but the other benefits like arability, housing, equipment and resources. Compensation must be fairly negotiated.

If communities are impacted by renewable energy projects, these impacts must be avoided or minimised. Communities should be provided with an opportunity to benefit from energy projects through local employment, benefit sharing agreements, or by communities being given an opportunity to access better/or same value alternative land.

Accountability and monitoring

Grievance mechanisms need to exist for communities to be able to voice concerns. Monitoring bodies and grievance mechanisms do currently exist like the examples below:

Mechanism	For	Link	Contact
Transition Minerals Tracker	Tracking of transition mineral companies including complaints	https://www.business-humanrights.org/en/from-us/transition-minerals-tracker/	contact@business-humanright
#Powertracker	Tracking renewable power projects and the decommissioning of coal plants in Sub-Saharan Africa.	https://oxpeckers.org/powertracker/	https://docs.google.com/forms
Verra	Grievance mechanism for complaints against Verra registered carbon market	https://verra.org/program-notice/verra-releases-new-grievance-redress-policy/	complaints@verra.org
H2Watch	Monitoring of green hydrogen project across South Africa	https://h2watch.org.za/projects/	Nicholas.Hamer@za.boell.org

In addition, communities should contact the funder of a project should there be grievances. This can include a bank, development bank, and private investors.



Funding the JET through Climate Finance

Just Energy Transitions require funding. This funding is not only for the projects themselves – such as solar or wind farms – but for many different areas of a JET:

Research and development
(researching new technologies, testing)



Policies and laws
(developing new policies and laws costs the government money)

Skills development
(bursaries, university funding)



Social protection
(funding for workers who might be impacted by the transition)

Public consultations and participation (to ensure public voices in the policies and planning processes)



Funding the grid
(often countries need to expand their grids and make sure they are able to accept energy produced from renewable sources or communities)

Renewable energy projects



Funding is generally provided to states for JET and can come from various sources.

Public Finance

Public finance is finance that is given to governments in order for them to fund their transitions. These can be in the form of loans (where the government is expected to pay back all or part of the loan) and grants (government does not have to pay back money, but must report on the spending).

Sources of public funding are:

- 💰 **Banks or finance institutions** (these are usually loans)
- 💰 **Climate funds or partnerships** (these are from international sources, and can be loans or grants)

- 💰 **Government financing** (from taxes)
- 💰 **Public-private partnerships** (partnerships between government and companies)

Investors and private finance

Across Africa, many countries are opening up the energy development space for private sector actors and investors. Under a Just Energy Transition, preference is given to renewable energy development projects. They can provide decentralised energy projects, but rely on governments to expand the grid access and ensure that the projects get suitable returns (i.e. that the energy generated is sold in a way that generates profits).

Caution is raised, that though introducing private sector can be welcomed, it should be with conditions to reduce negative results and ensure benefits for local communities.

Private sector has the aim of creating profits and can lead to commodification of the basic need to energy. State regulation should ensure that all are able to access energy needed to function in society. This energy should also not violate or infringe on local communities' rights.¹⁰

Private finance successful examples:



South Africa's Renewable Energy Independent Power Producer Procurement Programme (REI4P) has attracted billions in renewable energy investment.



Mozambique's Public-Private Partnerships Law (2015) and Madagascar's Energy Access in Off-Grid Areas Regulation (2021) are creating enabling environments for investment in decentralized energy solutions, particularly in underserved rural areas.

Alternative funding consideration

For renewable energy projects, to access funding you require security in the form of property or assets. Entities with assets and property, like churches and trade unions who, on behalf of their members, could invest and use land owned for renewable energy projects. This is an alternative form of financing or building energy systems.

Important Financial Mechanisms for Community Energy Projects

Communities who want to start community energy projects will need to find funding from various sources.

These can include:

- (\$) Government funds
- (\$) Grants and loans payments for ecosystem services
- (\$) Feed-in-tariffs and net metering incentives
- (\$) Carbon credits crowdfunding (where polluters pay for projects to reduce their carbon footprint)
- (\$) Community savings programmes (such as stokvels)
- (\$) Microfinance (small loans often provided by NGOs)
- (\$) Pay-as-you-go renewable energy models.

To access many of the funds, the community will need to be set up as a business or organisation or formal structure.

What is important for communities to know?

Getting finance for JET is not an easy task, even for governments. At the moment, in the international negotiating spaces, many countries are calling for climate finance to be granted to “global south countries” (those that are still developing), paid for by the global north countries, who are well developed and contributors of the most amount of carbon emissions. This is to address energy inequality.

Examples of this kind of funding are the just energy transition partnerships which can be found in South Africa and Senegal.

Forms of mixed funding provided to states - Just Energy Transition Partnerships

A just energy transition partnership is where developing countries are provided climate funding, private and public, from developed countries to assist with decarbonisation efforts. In Africa, South Africa and Senegal have just energy transition partnerships.

There are also lots of issues in the climate financing space that need to be addressed:

1. Capacity building and skills development so that governments are able to implement JET in their countries.
2. High interest rates that lead to countries being in debt and unable to pay back loans. This is why many countries are calling for climate finance to be in the form of grants (which do not need to be paid back).
3. Government barriers that hinder municipalities' or communities' access to finance.
4. Loans that require “securities” - in other words, loans require governments to guarantee that they can pay back the loan. Governments do this by providing “collateral” - just like when you take out a loan on your home, the bank can take back ownership of the home if you cannot pay.
5. Funding given which does not speak to the needs of communities.

For communities who want to access funding for a community project, they may experience the same issues with additional factors:

- \$ That they have to provide security for a loan, but do not have security, like property.
- \$ Accessing finance is complicated and requires many forms, good reporting etc.
- \$ That they may not see the benefit of the project for months or years.
- \$ Lack of security of tenure.
- \$ Security against theft of energy systems.

A Call to Action

This is what communities must call for:

PRINCIPLES

Energy policies and laws that include the principles of environmental justice, energy justice, energy democracy and social and gender inclusion.

Guardrails for human rights in terms of large scale energy projects.

Energy being a human right and societal good instead of commodified for profits.

PRACTICALITIES

Enforcement of rights.

Economic models which give access to funding and grants to communities to build community owned energy systems.

Government guarantees so that if they cannot pay back the loan, the government can step in to assist.

Transparent accountability and monitoring of energy planning, energy policies and laws, community beneficiation and energy projects.

Training and capacity building from civil society, state and businesses so communities can capacitate themselves with the necessary knowledge and skills.

Reparations and climate finance in accordance with the international standard of polluter pays, including providing of clean renewable energy and technology.

POLICIES AND LAW

Access to information which allows communities to be involved in decision making and implementation.

Free, prior and informed consent to be upheld including the right to say no.

Enforcing the right to a healthy environment where the polluter pays.

Being provided with affordable and clean energy.

Finance/funding that is easy to access (good information and capacity building for drafting the applications and reporting)

Simplified reporting and simplified evaluations of the project.

Action from their communities and others to form just energy transition forums where the community decides and plans what development it wants, how it wants it and what needs have to be met.



FURTHER READING

Alex Lenferna (2023) South Africa's unjust climate reparations: a critique of the Just Energy Transition Partnership Review of African Political Economy, Volume 50, Issue 177-178 <https://www.scienceopen.com/hosted-document?doi=10.1080/03056244.2023.2278953>

Centre for Environmental Rights "The Environmental and Socio-Economic Impact of Mining on Communities" <https://cer.org.za/programmes/mining/environmental-issues/the-environmental-and-socio-economic-impact-of-mining-on-communities>

Fair Finance Coalition of South Africa (2021) "Building Trust for Transition: DBSA's Impact on Local Community Trusts in South Africa's Renewable Energy Sector" <https://cer.org.za/wp-content/uploads/2025/01/Building-Trust-for-Transition-DBSA-LCT-CS-Final.pdf>

Global Initiative for Economic, Social and Cultural Rights (2025) "Principles for Gender Equality and Human Rights in the Energy Transition" <https://static1.squarespace.com/static/66bb5ab29501ef576d151865/t/68a7590c35cc482c356e385d/1755797772636/Principles+for+Gender+Equality+and+Human+Rights+in+the+Energy+Transition.pdf>

GroundWork (2023) "Renewable Energy Justice in Africa - The Big Picture" <https://groundwork.org.za/renewable-energy-justice-in-africa-the-big-picture/>

Natural Justice (2024) "Centring Justice in the Just Energy Transition" <https://naturaljustice.org/publication/centring-justice-in-the-just-energy-transition/>

Natural Justice (2024) "The Importance of Public Participation and Access to Information in Just Energy Transitions" <https://naturaljustice.org/the-importance-of-public-participation-and-access-to-information-in-just-energy-transitions/>

Natural Justice (2024) "The Just Energy Transition in South Africa" <https://naturaljustice.org/publication/the-just-energy-transition-in-south-africa/>

Natural Justice (2024) Status of the Just Energy Transition in seven southern African states https://naturaljustice.org/wp-content/uploads/2024/11/NJ_Just-Energy-Transition-African-States_v4_Handover.pdf

Natural Justice (2025) Submission: Nuclear Regulator Amendment Bill, South Africa <https://naturaljustice.org/publication/submission-nuclear-regulator-amendment-bill-south-africa/>

OXFAM (2025) Unjust Transition: Reclaiming the Energy Future from Climate Colonialism: [Executive Summary - Unjust Transition. Reclaiming the Energy Future from Climate Colonialism](#)

Oyeniye Abe and Victor Azubike (2025) "Green energy transition must start with the 600 million Africans who do not have electricity" <https://allianceforscience.org/blog/2025/02/green-energy-transition-must-start-with-the-600-million-africans-who-do-not-have-electricity/>

PARI (2022) Hungry for Electricity <https://pari.org.za/wp-content/uploads/2022/09/Hungry-for-Electricity-Digi-19092022.pdf>

Project 90 by 2030 (2018) "Ownership in the Renewable Energy Independent Power Producer Procurement Programme (REI4P)" <https://inspire-excellence.net/wp-content/uploads/2023/07/REI4P-Hi-Res.pdf>

Sokona et al. (2023). Just Transition: A Climate, Energy and Development Vision for Africa. Independent Expert Group on Just Transition and Development. https://justtransitionafrica.org/wp-content/uploads/2023/05/Just-Transition-Africareport-ENG_single-pages.pdf www.justtransitionafrica.org

South African Human Rights (2016) "National Hearing on the Underlying Socio-Economic Challenges of Mining Affected Communities in South Africa" <https://www.sahrc.org.za/home/21/files/SAHRC%20Mining%20communities%20report%20FINAL.pdf>



