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FROM ROADMAP TO REALITY

A CREDIBILITY TEST OF THE DUTCH FOSSIL FUEL PHASE-OUT ROADMAP

Just a few months after co-hosting the First Conference on Transitioning Away from Fossil Fuels (TAFF), the Netherlands has published its national fossil fuel phase-out roadmap as part of the 2026 Update of the National Energy System Plan (NPE) and the associated in-depth document.

The Dutch roadmap is intended to clarify how the Netherlands envisions phasing out gas, oil and coal and accelerating the energy transition. This is an important signal.

However, the Dutch roadmap charts neither a clear nor ambitious path forward and lacks fundamental elements of a credible phase-out plan. It does not consider the risks of a delayed fossil fuel phase-out and insufficiently builds on principles of equity, justice and human rights.

Milieudefensie, Oxfam Novib, Greenpeace Nederland, Jonge Klimaatbeweging, Reclame Fossielvrij, SOMO and Child Rights International Network call on Minister van Veldhoven to present the Dutch roadmap internationally at the UN climate summit COP31 and to explain how it will be strengthened and implemented in the run-up to the second TAFF conference in 2027.

The minister should align the roadmap with 1.5°C and the fair share responsibility of the Netherlands, ground it in human rights, equity and justice and make it time-bound and measurable:

1. Set binding phase-out dates: by 2030 for coal, 2035 for gas and 2040 for oil, covering both extraction and use across the entire economy, and implement interim targets.
2. Stop approving new oil and gas exploration and production.
3. Phase out fossil fuel demand: accelerating solar and wind deployment, scaling up insulation and energy-efficiency measures, integrate a phase-out plan fossil fuel subsidies in the roadmap and reinvest the money in the energy transition, distinguish between essential and non-essential processes and ban fossil fuel advertising
4. Require large polluting companies to adopt and implement binding

climate transition plans, including fossil fuel phase-out plans.

5. Avoid false solutions that create a lock-in for fossil fuels and delay cutting emissions, such as CCS, or BECCS and nuclear that come with serious environmental risks
6. Make clear choices for a future-proof industry in the Netherlands
7. Make Equity and Common But Differentiated Responsibilities and Respective Capabilities the guiding principles
8. Prevent the social and environmental risks associated with the extraction of critical raw materials
9. Limit the use of bio-based raw material resources outside the Netherlands
10. Strengthen international cooperation for a just fossil fuel phase out
11. Respect, protect and fulfil human rights obligations in the context of phasing out fossil fuels by putting remedy and safeguarding measures in place for affected and at risk communities and stakeholders.

This revised roadmap should be developed in a participatory and transparent process, in line with the Aarhus Convention, that is protected from fossil fuel industry influence, and **published as soon as possible,** by the latest before the second TAFF conference in 2027. **The 2027 Spring Budget Memorandum (Voorjaarsnota) should already reflect the choices of the revised roadmap** and translate the roadmap into budget and policy measures.

A. The Dutch roadmap in the context of growing TAFF momentum

The Santa Marta outcomes

After years of deadlock within the international climate change regime under the UNFCCC, the First Conference on Transitioning Away from Fossil Fuels (TAFF), held in April 2026 in Santa Marta, Colombia, created a new multilateral space for countries to advance the end of the fossil fuel era. Co-hosted by Colombia and The Netherlands, the TAFF conference was the first diplomatic conversation on how fossil fuels should be phased out, putting the root causes of the climate crisis and interconnected crises central. The conversations among the participating 57 countries and representatives from civil society and academia took place within a changed legal landscape. In 2025, the International Court of Justice other international courts confirmed that states are obliged to prevent climate harm and to cooperate, and that fossil fuel production, consumption, licensing and subsidies may constitute internationally wrongful acts. Santa Marta provided an opportunity to turn these obligations under international law and human rights into action.

Santa Marta did not deliver a negotiated outcome, but a commitment to a continued TAFF process, with a second TAFF conference announced for 2027, which will be co-hosted by Tuvalu and Ireland. Towards this second conference, fossil fuel phase-out conversations will continue throughout three dedicated workstreams, of which one focuses on the development and implementation of regional and national fossil fuel phase-out roadmaps. The Final Co-host Report of the Netherlands and Colombia documents key principles of the first TAFF conference that are synthesized in the 'Santa Marta Vision', dedicated pathways, workstreams, stakeholder quotes and summaries. Among others, the report highlights the urgency of the fossil fuel phase-out, the importance of addressing governance and implementation gaps, and the need for both domestic action and international cooperation as fundamental principles.

One of the three workstreams launched in Santa Marta encourages countries to develop and implement national or regional TAFF roadmaps that are science- and rights-based and aligned with 1.5°C, exchange fossil fuels for "clean energy, energy security and sovereignty", put energy access central and plan the "phase down and definitive closure of fossil fuel extraction". Academics present in Santa Marta went further and specifically highlighted the importance of halting new fossil fuel projects, and the need for coherent and whole-economy roadmaps that are "just, orderly, credible and science-based". Civil society organisations advocated internationally for equitable, concrete and time-bound phase-out commitments. In the Netherlands, 15 civil society organisations called on Minister van Veldhoven to translate the ambitions of the TAFF conference into a concrete roadmap to end the Netherlands' dependence on fossil fuels.

The Dutch national roadmap

The Netherlands - as Co-host of the conference and a significant emitter and facilitator of fossil fuels - announced its national roadmap in June 2026. The roadmap was published as part of the updated National Energy System Plan on 15 September 2026, titled 'Responsible phase-out of fossil fuels in the energy system'.

The Dutch roadmap underwrites the necessity of phasing out fossil fuels quickly and responsibly and recognizes the risks associated with fossil fuels such as import dependency, greenhouse gas emissions and air pollution. The roadmap, however, fails to translate these starting points into a phase-out plan that charts a clear and ambitious path forward. In fact, the largest part of the chapter outlining the Dutch roadmap explains how the Netherlands plans to continue relying on fossil fuels towards 2040 and beyond, without addressing the risks associated with a slow transition away from fossil fuels. It misses critical elements of a credible fossil fuel phase-out plan and thereby contradicts the key principles coming out of Santa Marta. The most pressing issues are summarised below.

Equity and a just transition

Contrary to the principles put forward in the Final Co-host Report of the first TAFF conference, the Dutch roadmap does not make clear whether and how principles of equity and justice, human rights, and climate science were used to inform its design.

A credible fossil fuel phase-out must not only be fast but also fair. The transition must address the inequalities and dependencies that currently exist, rather than taking them into a new energy system. This means shifting from an extractive economic system where environmental and social costs are put onto workers, local communities and young people while wealth and power are concentrated between few. The Netherlands, which has a strong historical responsibility for climate change, must ensure that a transition does not make the inequalities larger but actively works towards dismantling them.

The Dutch roadmap does acknowledge the need for a responsible transition. However, it lacks concrete measures to ensure that the costs and benefits will be fairly distributed. A just transition does not just mean managing the social consequences of phasing out fossil fuels. It also requires actively protecting the rights and livelihoods of workers, ensuring access to affordable renewable energy and giving affected communities and young people a meaningful role in the transition. Public money should support this shift, rather than continuing fossil fuel subsidies.

B. Recommendations for improving the Dutch roadmap

1. Binding end dates and interim targets for phasing out oil, coal and gas are missing

The roadmap defines “phase-out” as reducing the use of oil, gas and coal, not only for energy, but also as feedstocks - to zero or to a minimum by 2050. However, this is not set as a binding target, there is no specific end year included, and it remains unclear how much fossil fuel use could remain in 2050. Without a clear end date, it is difficult to see where the roadmap is meant to lead. Yet, a clear destination is crucial as a signal to society. Companies considering investments in decarbonisation and citizens trying to live sustainable and affordable lives, need a clear vision. Also, interim targets are equally important. Although the NPE quantifies the remaining fossil fuel use in 2040, it lacks concrete interim targets that would ultimately provide a clear signal to society, and form a basis for policy choices needed to reach these interim targets.

The Dutch government is also currently acting unlawfully by failing to have set binding interim climate targets for all sectors that would deliver a fair contribution to the 1.5°C goal, according to the Bonaire judgment of the District Court of The Hague. The continued fossil fuel use, production, subsidies and licensing may also constitute an internationally wrongful act, according to the 2025 Advisory Opinion on the Obligations of States in Respect of Climate Change of the International Court of Justice.

The level of ambition shown in the Dutch roadmap is too low. It does not live up to the responsibility of the Netherlands as a wealthy country that has historically benefitted from the production and combustion of fossil fuels. To make a fair contribution to the long-term goal of limiting global warming to 1.5°C, the Netherlands should at the very least phase out fossil fuels as rapidly as possible in all sectors, including international shipping and aviation. The Dutch roadmap does not substantiate how it reflects the highest possible ambition. Previous analyses have shown that the Netherlands and the EU can phase out coal, gas and oil production and use within the whole economy by 2030, 2035 and 2040, respectively.

2. Stop approving new oil and gas exploration and production

The Dutch roadmap emphasizes that current domestic gas production levels will be maintained through the coming decades. Given the declining production rates of operational Dutch gas fields, this results in exploration and production from new gas fields. The Dutch government also explicitly confirms its commitment to the 2025 Sector Agreement on Gas Extraction in the Energy Transition, which calls for new investment for exploration and production, given the declining production rates of operational gas fields.

Such commitment to new fossil fuel exploration and production is the wrong direction. Scientists and intergovernmental institutions have made clear that to stay below 1.5°C of global warming, no new oil and gas fields are needed. This principle has also been emphasized by the scientific community present in Santa Marta. Especially in the Netherlands, which is already highly dependent on fossil fuel imports, new gas fields will not significantly lower Dutch import dependence. In the liberalised European gas market, domestically produced gas can also simply be exported elsewhere. Instead, drilling new gas fields carries the risk of locking-in fossil infrastructure for decades to come and stranded assets. Ending licensing for new oil and gas exploration and production is the most straight-forward and practicable step to manifest commitment to phasing out fossil fuels.

3. Phase out fossil fuel demand: integrate phasing out of fossil fuel subsidies in the roadmap and reinvest the money in the energy transition, distinguish between essential and non-essential uses of fossil fuels and banning fossil fuel advertising

Phasing out fossil fuel subsidies

The NPE aims to reduce the use of fossil fuels, but does not link this objective to a fully detailed timetable for phasing out all fossil fuel subsidies. The phasing out of fossil fuel subsidies must therefore be an integral part of the roadmap, with a concrete timetable for ending all fossil fuel support measures, including specific deadlines and amounts for each scheme. These public funds must be redirected towards accelerating the energy transition: towards affordable renewable energy, energy-saving measures and infrastructure that effectively reduces dependence on fossil fuels.

Countries bearing greater historical responsibility for emissions are expected to move first and fastest in reducing fossil fuel use, as reflected in the final report on the Santa Marta conference. The NPE, however, does not reflect this principle. This is illustrated by a lack of sufficiency measures as part of a broader effort to transform unsustainable patterns of production and consumption in both energy and mobility. A roadmap to phase out supply and demand of fossil fuels should not solely focus on replacing the fossil fuels, but also on reducing demand of fossil fuels, and resource consumption in general.

To reduce demand for fossil fuels, the Dutch government must focus on accelerating the roll-out of solar and wind energy, promoting insulation and energy-saving measures, and as a first and fast step to reduce further growth of hard-to-abate sectors like aviation and cruises, to ban fossil fuel advertising.

At the same time, it must reduce resource consumption and material demand through measures such as promoting circular production and reuse, expanding recycling and repair, extending product lifetimes, and reducing energy and material

waste. It should also rethink industrial policy to prioritise socially useful, low-carbon production over resource-intensive industries and unsustainable growth.

Lack of distinction between essential and non-essential use of fossil fuels

The Dutch roadmap identifies four ways to mitigate climate effects of fossil fuel use: energy saving, substitute fossil fuel energy with sustainable alternatives, carbon capture and storage (CCS) and other ways of carbon removal. An important fifth way that is common in the circular economy, is “refuse” of the circular r-ladder.

The NPE fails to make a distinction between essential processes that now run on fossil fuels and non-essential processes that run on fossil fuels. This distinction is crucial for the transition: prioritising the replacement of fossil fuels in essential processes and services first will make the transition more feasible and affordable (“haalbaar en betaalbaar”). For example, hospitals and commuting provide essential services that should be prioritised in the switch to renewable energy, while aviation tourism and cruises are non-essential usages of fossil fuels. The same goes for the shipping of single use items. A concrete phase-out plan for non-essential applications of fossil fuels is an essential part of a roadmap to phase out fossil fuel supply and demand.

Reduce demand in aviation and shipping

Many non-essential usages of fossil fuels are hard to abate, such as air travel and international shipping. The NPE shows that in 2040, the share of aviation and international shipping fuels has hardly decreased. In the NPE, the ministry presents no measures for demand reduction for shipping and aviation. Instead, it notes that In the aviation sector, unlike other modes of transport, energy consumption is set to rise from 156 PJ in 2025 to 188 PJ in 2040. As solutions, the NPE solely focuses on technological innovation, while simultaneously noting there are serious limitations to applying these on scale to aviation and international shipping.

Also for domestic mobility, the NPE shows that fossil fuels are estimated in 2040 to be over 50% of the energy mix. While national mobility can be decarbonized, policies for reducing demand can make the transition to sustainable road traffic more quick, cost-effective and manageable.

Electrification

The NPE shows a rapid increase of renewable energy capacity: total renewable energy capacity increases from 38 GW today to 140 GW in 2040. Solar PV triples between now and 2040. Offshore wind increases from 4,8 GW to 36,5 GW in 2040, but this is still significantly lower than the previous NPE. Wind on land doubles by 2040, partly by upgrading existing turbines. However, in contrast to the previous NPE, this new policy plan does not outline a fully CO2-free electricity generation by 2035.

Gas demand remains high in 2040. The NPE forecast gas demand to decrease from 935 PJ in 2025 to 610 PJ in 2040, noting that the Netherlands will continue to rely on gas throughout the energy transition. This lowered ambition and continued dependence on fossil gas does not reflect the urgency that is required for a just transition away from fossil fuels to meet the 1.5°C objective.

4. Require large polluting companies to adopt binding climate transition plans, including fossil fuel phase-out plans.

The Dutch roadmap does not include (new) binding regulatory frameworks that ensure that corporations align their business activities with the climate goals of the Paris Agreement and phase out fossil fuels. The government is primarily focused on creating the right framework conditions for businesses to become more sustainable. At the same time, the CPB/PBL study shows that general support for businesses does not automatically lead to lower emissions.

If corporations continue to be allowed to do business as usual, a just and rapid fossil fuel phase-out cannot be achieved. Corporations have their own legal obligation to prevent dangerous climate change and contribute to international climate goals, and to achieve that, they need to phase out fossil fuels. At the same time, governments must fulfill their legal obligation to regulate corporations where their activities contribute to the escalating climate crisis, as confirmed by the International Court of Justice. This especially applies to the Netherlands as a significant emitter and fossil fuel facilitator.

A credible Dutch roadmap should therefore clarify corporations obligations, including requiring corporations to develop and implement climate transition plans and fossil fuel phase-out plans, and operationalise the ‘polluter pays’ principle. The Dutch government must also ensure that companies that fail to meet their responsibilities face meaningful consequences, and close governance gaps that allow companies to evade their obligations to workers, affected communities and global climate goals.

5. Avoid false solutions that create a lock-in for fossil fuels and delay cutting emissions, such as CCS, or BECCS and nuclear that come with serious environmental risks

The NPE 2026 heavily relies on technological solutions such as carbon capture and storage (CCS), bioenergy with carbon capture and storage (BECCS), and nuclear power to achieve climate neutrality. However, their scalability, costs and environmental risks raise important concerns.

CCS and BECCS are expected to play a growing role, particularly in hard-to-abate

industrial sectors and waste processing. The Netherlands anticipates needing 20–25 Mt of carbon removal annually in the longer term to realise emission reductions, compensate residual emissions and potentially also to reach net-negative emissions in the long term. However, the sustainability of biomass imports is uncertain, and BECCS can cause deforestation, biodiversity loss and delayed climate benefits if harvesting and processing emissions are not adequately accounted for. Using scarce biomass for energy may also conflict with the principle of prioritising higher-value applications. With regard to BECCS, the NPE explicitly acknowledges the limitations and considerations surrounding sustainable biomass, and states that the desirability of large-scale BECCS requires further assessment.

Furthermore, CCS has not been deployed at scale, existing projects consistently underperform and significant public funding is needed for CCS infrastructure such as Aramis. There is a risk that carbon removal will substitute for, rather than complement, rapid emissions reductions.

Nuclear power is planned as a structural component of the future electricity system, with two new large reactors, continued operation of Borssele, and the development of small modular reactors (SMRs). The government aims for 7 GW of nuclear capacity by 2050. However, concerns include long construction times, substantial public financial exposure, uncertain SMR commercial availability, uranium-mining impacts and unresolved radioactive-waste disposal. The Netherlands also remains dependent on international uranium supply chains.

Overall, these technologies are not risk-free substitutes for reducing emissions at source. It is deeply concerning that unproven and high-risk technologies such as CCS, BECCS and nuclear energy are presented so prominently in the NPE. Relying on these tech fixes means relying on false solutions that may not deliver. Instead, the Dutch government needs to put rapid and equitable fossil fuel phase-out and deep emission reductions central.

6. Make clear choices for a future-proof industry in the Netherlands

The NPE aims to reduce the use of fossil fuels and to maintain a future-proof industry, but does not specify which factories or sectors form part of a future-proof Netherlands and which should be phased out. For the chemical, steel and other energy-intensive sectors, the emphasis is on becoming more sustainable, whilst their future scale remains uncertain.

Both the Scientific Climate Council and the Netherlands Environmental Assessment Agency (PBL) argue that the Netherlands must make clearer choices about which industries it wishes to retain and make more sustainable in the long term, and which activities may need to be phased out. According to the Scientific Climate Council, making industry more sustainable in its current form and scale is not compatible with

a climate-neutral and future-proof Netherlands.

Furthermore, scarce resources such as subsidies, grid capacity, space and infrastructure cannot be deployed without limit to maintain all existing activities. For a just transition, it is also important to consider how workers and regions will be supported when certain activities are phased out. The NPE must be accompanied by a green industrial policy that sets out clear choices regarding which sectors will be retained and which will be phased out.

7. Make Equity and Common But Differentiated Responsibilities and Respective Capabilities the guiding principles

A just energy transition requires a fair distribution of costs and benefits, protection for workers and communities, and genuine say for the people affected by the transition.

The principles underlying the NPE exacerbate inequality; whilst the plan sets out in detail the public support and risk-sharing arrangements for certain technologies, it also assumes that end-users will bear a significant proportion of the costs themselves. These principles undermine public support for climate measures, as was also evident from the findings of an Sociaal en Cultureel Planbureau (SCP) study showing that many Dutch people consider the distribution of costs and benefits to be unfair. They feel that large polluting companies are not contributing enough, whilst citizens are being burdened relatively heavily. The NPE shows this in practice. The NPE must provide a more transparent picture of the distribution of costs and benefits and account for whether the available public funds support a just energy transition.

It is also important to distinguish between a transition that creates new economic opportunities and one that effectively protects workers and communities. The NPE focuses on the former, but aspects such as decent work, fair wages, social protection and livelihood security for workers and regions dependent on the fossil fuel industry are not fully developed as part of a coherent plan for a just transition. The NPE must set out concrete measures for decent work, fair wages, social protection and new livelihood security for workers and regions dependent on the fossil fuel industry. Trade unions, local communities, young people and civil society organisations must be involved in a structured and meaningful way in the design and implementation of the roadmap.

More broadly, the Paris Agreement states that several principles, including Common But Differentiated Responsibilities and Respective Capabilities (CBDR-RC) and equity principles, must be leading the climate action that States agree on each year during the climate negotiations. In light of the obligations under the Paris Agreement, States should lead their climate action on national, regional and international level by these principles, including when developing their national roadmaps.

8. Prevent the social and environmental risks associated with the extraction of critical raw materials

The NPE primarily treats critical raw materials required for the energy transition as an issue of strategic autonomy, security of supply and the resilience of the supply chain. It does not mention that, whilst the energy system in the Netherlands can become cleaner, the environmental damage and social costs of mining are borne elsewhere.

The NPE does not provide a comprehensive quantitative assessment of the total quantity of critical minerals required to achieve the targeted capacity for wind and solar energy. It therefore fails to clarify how much additional primary extraction will be needed, how much of this can be recycled, and what consequences this will have for mining regions. The social and environmental protection of people and areas where transition minerals are extracted has not been developed into a concrete package of safeguards and measurable targets. The scaling up of renewable energy and the extraction of transition minerals must take place with respect for human rights, nature and local control.

The Netherlands must prevent the energy transition from causing new forms of exploitation, dependence on raw materials and environmental damage. Public funding must support this just transition, rather than perpetuating existing inequalities and dependence on fossil fuels.

9. Limit the use of bio-based raw material resources outside the Netherlands

In the NPE 2023, the government states that, from the perspective of global justice, it is undesirable for the Netherlands to use a disproportionate share of the globally available sustainable supply of bio-based raw materials. After all, availability is also important for other countries and for applications outside the energy sector. The NPE 2026 reiterates this position but, at the same time, states that the supply of sustainable bio-based raw materials must accommodate growing demand, including for aviation and maritime fuels, bio-based chemicals and materials.

The government aims both to increase supply and to develop alternatives, whilst utilising bio-based raw materials in high-value applications. The estimated demand for biofuels for aviation alone is set to increase by 21.8 PJ per year between 2025 and 2035. It is highly questionable whether the Netherlands will thereby remain within a fair global share.

The NPE must make a fair global share a precondition and work towards the energy transition within those parameters.

10. Strengthen international cooperation for a just fossil fuel phase-out

For a credible and just fossil fuel phase-out, designing and implementing an ambitious national roadmap is not enough. At the international level, the Netherlands must ensure to support the global transition away from fossil fuels, including addressing financial hurdles and the governance and implementation gap. The International Court of Justice confirmed states' obligations to cooperate internationally. Therefore the Dutch government should:

- Scale up grant-based climate finance for countries that are highly affected by climate change and have fewer resources, pursue debt relief and fairer international financial agreements and introduce and operationalise the 'polluter pays'-principle.
- Remove international legal barriers to an effective and just transition. Work towards the coordinated, multilateral phase-out of investor-state dispute settlement (ISDS) provisions in trade and investment agreements that expose governments to costly arbitration and potentially substantial compensation claims for measures taken in the public interest, including fossil fuel phase-out policies. Support coordinated international efforts to terminate or reform existing investment treaties, address sunset clauses that prolong investor protections after treaty termination, and ensure that new trade and investment agreements do not introduce equivalent barriers to climate action. Given the Netherlands' extensive network of investment treaties and its prominent role in facilitating ISDS claims, the Dutch government should take responsibility for helping dismantle this system to support a just transition away from fossil fuels.
- Support new international legal instruments to address the governance gap, such as a Fossil Fuel Non-Proliferation Treaty, to advance the phase-out of fossil fuels.

11. Respect, protect and fulfil human rights obligations in the context of phasing out fossil fuels by putting remedy and safeguarding measures in place for affected and at risk communities and stakeholders.

In regards to designing and implementing its fossil fuel phase-out roadmap, and in regards to taking steps on the international level for phasing out fossil fuels, the Netherlands must respect, protect and fulfil human rights obligations by putting remedy and safeguarding measures in place for affected and at risk communities and stakeholders.

In line with international law and international human rights law, as articulated by the

International Court of Justice (ICJ) in its Advisory Opinion on Climate Change, and consistent with Article 2 of the Convention on the Rights of the Child, which requires that the best interests of the child be a primary consideration in decision-making processes, States have a duty to respect, protect, and fulfil human rights and that requires transitioning away from fossil fuels. These obligations are reflected across international human rights instruments and jurisprudence, including General Comment No. 26 of the Committee on the Rights of the Child, General Comment No. 27 of the Committee on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights (ICCPR), and relevant judgments of the European Court of Human Rights (ECtHR).

The ICJ affirmed that the duty to cooperate in protecting the environment forms part of customary international law and serves as a guiding principle in the interpretation and application of other legal obligations (para. 142). The Court further clarified that the extent of this duty varies according to the principle of common but differentiated responsibilities and respective capabilities (CBDR-RC) (paras. 305-306).

The Court emphasised that States are required to take measures to protect the climate system and other components of the environment. Such measures include mitigation and adaptation actions, the adoption of legislation and regulatory standards, and the regulation of private actors, while ensuring due regard for the protection of human rights (para. 403).

Importantly, the Court noted that a State's breach of its international obligations does not extinguish its continuing duty to comply with those obligations. As the Court explained, States retain an ongoing obligation to preserve and enhance the absorption capacity of carbon reservoirs and sinks, regardless of prior breaches. Similarly, where a State has adopted an inadequate Nationally Determined Contribution (NDC) under Article 4 of the Paris Agreement, a competent court or tribunal may require that State to adopt an NDC consistent with its international obligations (para. 446).

The duty to cooperate is characterised as an obligation of conduct, the fulfilment of which is assessed against a standard of due diligence (para. 218). Good-faith cooperation requires States to take into account guidance adopted by the Conference of the Parties (COP), including with respect to climate finance, technology transfer, and capacity-building measures.

The Court also affirmed that the customary international law duty to prevent significant environmental harm extends to the climate system, which is an integral and vitally important part of the environment that must be protected for present and future generations (para. 273). This obligation requires States to exercise due diligence to prevent foreseeable climate-related harm arising from activities within their jurisdiction or control.

In assessing climate-related obligations, the Court expressly acknowledged the scientific consensus that the combustion of fossil fuels is a principal driver of

anthropogenic climate change. It noted that increased concentrations of greenhouse gases (GHGs) in the atmosphere are primarily attributable to human activities, including fossil fuel combustion and the degradation of carbon reservoirs and sinks such as forests and oceans (para. 72). Referring to the findings of the Intergovernmental Panel on Climate Change (IPCC), the Court observed that the largest source of carbon dioxide emissions is the combustion of fossil fuels in electricity generation, transportation, industrial processes, and residential and commercial energy use (para. 81).

The Court further held that a State's failure to take appropriate measures to protect the climate system from greenhouse gas emissions, including through fossil fuel production and consumption, the granting of fossil fuel exploration licences, or the provision of fossil fuel subsidies, may constitute an internationally wrongful act attributable to that State (para. 427). The wrongful act lies not in the emissions themselves, but in the breach of conventional and customary obligations requiring protection of the climate system from significant harm caused by anthropogenic greenhouse gas emissions.

Finally, the Court recognised that significant environmental harm may arise from the cumulative effects of actions undertaken by multiple States and private actors. Even where it is difficult to attribute a precise share of responsibility to any single actor, States remain under an obligation to assess and address the cumulative impacts of activities within their jurisdiction or control. Activities that may appear insignificant in isolation can, when combined with others, cause significant environmental and climate-related harm (para. 276).

The European Court of Human Rights ruled in the Greenpeace Nordic and Others v. Norway that States are required by Article 8 to assess whether approval of new petroleum projects, given their global climate impacts, is compatible with their national and international obligations (para 419), which was affirmed in the Norwegian appeals court in Greenpeace Nordic and Nature and Youth v. Energy Ministry case where the Court overturned several oil production licences partly because such an assessment had not been conducted (para 27). The Dutch court in the Bonaire case states that the government is not abiding by international standards.

C. Priorities for a strengthened Dutch roadmap

The Netherlands was the second country, after France, to present a national roadmap for phasing out fossil fuels. That sends an important signal, especially at a time when multilateral cooperation to address the climate crisis is becoming increasingly difficult. The Netherlands has already shown leadership by co-hosting the first TAFF conference in Santa Marta, together with Colombia. To sustain that leadership credibly, it is essential that the Netherlands also demonstrates that it is taking the

necessary steps to phase out fossil fuels.

However, the Dutch national roadmap has not yet been presented internationally and was largely buried in the NPE and the wider Prinsjesdag documents. Fortunately, it is not too late. Germany has now also presented a national roadmap, accompanied by an English translation and international outreach after France's example. This indicates growing international momentum for the fossil fuel phase-out.

The upcoming UN climate summit COP31 in November 2026 presents a key opportunity for the Netherlands to build on this international momentum, present its roadmap and explain how it will be strengthened and implemented in the run-up to the second TAFF conference in 2027. As shown in this analysis, the current Dutch roadmap falls short of credibly implementing the measures needed to achieve an equitable fossil fuel phase-out in the Netherlands. The Dutch government therefore needs to strengthen the roadmap, while also credibly working together with other countries to address the structural, financial and legal barriers needed for advancing an equitable global fossil fuel phase-out.

Milieudefensie, Oxfam Novib, Greenpeace Nederland, Jonge Klimaatbeweging, Reclame Fossielvrij, SOMO and Child Rights International Network call on Minister van Veldhoven to present the Dutch roadmap internationally at COP31 and commit **to strengthening and implementing in the run-up to the second TAFF conference in 2027.**

This revised roadmap should be developed in a participatory and transparent process that is protected from fossil fuel industry influence, and **published as soon as possible,** by the latest before the second TAFF conference in 2027. The Dutch government should not delay action. **The 2027 Spring Budget Memorandum (Voorjaarsnota) should already reflect the choices of the revised roadmap** and translate the roadmap into budget and policy measures.