

**Mandates of the Working Group on the issue of human rights and transnational corporations and other business enterprises; the Special Rapporteur on the promotion and protection of human rights in the context of climate change; the Special Rapporteur on the human right to a clean, healthy and sustainable environment and the Special Rapporteur on the human rights of internally displaced persons**

Ref.: AL OTH 26/2026  
(Please use this reference in your reply)

5 March 2026

Dear Mr. Ould Tah,

We have the honour to address you in our capacities as Working Group on the issue of human rights and transnational corporations and other business enterprises; Special Rapporteur on the promotion and protection of human rights in the context of climate change; Special Rapporteur on the human right to a clean, healthy and sustainable environment and Special Rapporteur on the human rights of internally displaced persons, pursuant to Human Rights Council resolutions 53/3, 57/31, 55/2 and 59/12.

We are independent human rights experts appointed and mandated by the United Nations Human Rights Council to report and advise on human rights issues from a thematic or country-specific perspective. We are part of the special procedures system of the United Nations, which has 59 thematic and country mandates on a broad range of human rights issues. We are sending this letter under the communications procedure of the Special Procedures of the United Nations Human Rights Council to seek clarification on information we have received. Special Procedures mechanisms can intervene directly with Governments and other stakeholders (including companies) on allegations of abuses of human rights that come within their mandates by means of letters, which include urgent appeals, allegation letters, and other communications. The intervention may relate to a human rights violation that has already occurred, is ongoing, or which has a high risk of occurring. The process involves sending a letter to the concerned actors identifying the facts of the allegation, applicable international human rights norms and standards, the concerns and questions of the mandate-holder(s), and a request for follow-up action. Communications may deal with individual cases, general patterns and trends of human rights violations, cases affecting a particular group or community, or the content of draft or existing legislation, policy or practice considered not to be fully compatible with international human rights standards.

In this connection, we would like to bring to the attention of your organization information we have received concerning the **reported approval by the African Development Bank (AfDB), on 14 January 2026, of a USD 150 million loan to support the development of the Coral North Floating Liquefied Natural Gas (FLNG) Project in Mozambique.**

African Development Bank (AfDB)

According to the information received:

Gas in Mozambique is currently centred on offshore gas extraction and Liquefied Natural Gas (LNG) in the Cabo Delgado province. The LNG focus is on two offshore concession areas that have been granted to consortiums of fossil fuel companies – Area 1 and Area 4 of the Rovuma Basin. In Area 1 is the Mozambique LNG Project, led by TotalEnergies. In Area 4, there are the Coral North LNG Project, led by Eni S.p.A., and the Rovuma LNG project, led by ExxonMobil.

Following the Coral South LNG project which became operational in 2022, the 7 billion USD Coral North LNG Project will develop, construct, and operate a FLNG facility with an annual capacity of 3.55 million metric tons, approximately 55 kilometers off the coast of northern Mozambique's Cabo Delgado province. On 14 January 2026, the Board of Directors of the AfDB approved a 150 million USD senior loan to support the development of the Coral North LNG Project. An AfDB press release of 22 January 2026 justifies the project by reason of the fiscal revenues and jobs expected to be generated and contribution to the Southern African Development Community regional energy and security. According to the AfDB press release, the project commits to set aside a portion of LNG production for clean cooking access and domestic industrial development in addition to export. The press release also mentions that, in addition to the African Development Bank Group, financing will be provided by other development finance institutions, export credit agencies and commercial lenders.

The human rights impacts of the Mozambique gas industry have purportedly been devastating. The construction phases of gas projects in Cabo Delgado have allegedly resulted in thousands of people being displaced, even for offshore projects, often with no or restricted access to traditional livelihoods and subsistence agricultural lands or fishing areas to sustain their families, without meaningful consultation with affected populations, including genuine participation in decisions regarding adequate relocation, and in violation of safeguards guaranteeing transparency, access to information and inadequacy of compensation. Relocations often lack sufficient investment in infrastructure and services, leaving displaced populations in vulnerable situations. This has resulted in people living in resettlement sites for years with limited livelihood opportunities, insecure land tenure and insufficient access to adequate housing, their traditional livelihoods and community structures, as many depend on fishing, agriculture and other natural resources to make a living. Despite promises that LNG projects would create employment opportunities for local communities, the high rate of illiteracy and limited access to formal education in the region mean that many residents lack the skills and qualifications required for the jobs being generated. As a result, these projects are likely to provide only limited employment benefits to the affected local communities.

Furthermore, the lack of civil documentation and the destruction of infrastructure present challenges to internally displaced persons seeking access to housing and land and property rights in both displacement and resource-rich areas of return, leading to instances of forced evictions, illegal expropriations,

illegal occupations and land disputes. In areas of ongoing armed clashes, many returnees are unable to resume their livelihoods owing to insecurity in accessing their farmland or obtaining their housing and lands, including in areas where existing forms of tenure security existed. As a result, internally displaced persons may need to engage in intercommunity land disputes in their places of origin, exposing them to further risk of forced eviction and thereby jeopardizing their sustainable return and reintegration. In urban areas, displaced individuals face high housing prices and threats of eviction. Despite the country's land-tenure framework guaranteeing equal rights, ineffective enforcement and discriminatory norms have marginalized women.

In addition, the projects also have the potential to result in significant release of greenhouse gas (GHG) emissions, especially methane, for decades to come. Research from Cornell University has found that, due to methane emissions, conventional natural gas has a greater impact on climate than coal or oil. The LNG project lifecycle processes of production, transport, liquification, shipping, regassification, and power plant combustion are incredibly energy intensive. For reference, the Rovuma LNG project's Environmental Impact Assessment indicated: "The pre-mitigation impact of the Project on Mozambique's national GHG emissions is likely be of MAJOR significance both during the construction and operational phases of the Project. Given the scale and nature of the Project, while good practice can be employed to reduce the GHG emissions, the overall significance of the impact is not expected to significantly change post-mitigation." In the meantime, Mozambique has been greatly affected by internal displacement as a result of disasters, exacerbated by the adverse effects of climate change, resource extraction projects and armed conflict. Mozambique faces recurrent natural hazards, including droughts, heavy rains, tropical storms and cyclones, and their frequency and intensity are amplified by the global climate crisis, with major consequences for rural communities. Yearly tropical storms and cyclones have been particularly devastating over the past five years. As of February 2026, an estimated 723,000 people have been affected by recent flooding across southern and central Mozambique, with the majority in Gaza Province.

Additional human rights risks factors should be considered in the context of the ongoing conflict between State forces and non-State armed groups. Since 2017, Cabo Delgado Province has been affected by large-scale internal displacement, both within the province and to neighbouring ones, owing to ongoing armed conflict and violence. The conflict has led to civilian casualties, infrastructure destruction, loss of livelihoods and serious violations of international human rights and humanitarian law. The situation was further exacerbated by the lack of basic infrastructure and services, poverty, unemployment and social inequality owing to pre-existing disparities between the south and the north of the country. Approximately 400,000 people in Cabo Delgado province are currently displaced. Just between January and August 2025, over 95,000 people had been internally displaced according to the UN Office for the Coordination of Humanitarian Affairs, due to the insecurity in Cabo Delgado. In this context, the ongoing gas operations might have allegedly contributed to fueling violent conflict. Civil society organizations have reported on serious human rights violations alleged to have been carried out between July and September 2021 by

Mozambican armed forces in connection with the Mozambique LNG Project in Cabo Delgado, including enforced disappearances, summary executions, torture and other cruel, degrading or inhuman treatment of dozens of civilians. In March 2025, the Office of the Attorney General of Mozambique confirmed the opening of a criminal investigation into these allegations. While on 26 January 2026, the National Commission of Human Rights of Mozambique noted it could not find sufficient evidence to corroborate the allegations of human rights violations by military personnel, another report by the Clingendael's Conflict Research Unit, which was commissioned by the Dutch Ministry of Finance,<sup>1</sup> corroborated that a large number of civilians were detained and abused by Defence and Security Forces personnel in front of the LNG project's site. The report concludes that the Mozambican Defence and Security Forces (FDS) have a troubled record of human rights violations in the region surrounding the LNG project's site in Afungi. This report was released as the Dutch and British governments announced they were withdrawing some 2.2 billion USD in support for the gas plant. Information received also indicates that journalists reporting on the conflict have been subject to arbitrary arrests and detention, and allegations of torture.

We would like to express our most serious concern regarding the adverse impacts on human rights caused by activities such as the exploitation of fossil fuels which contribute to climate change. Under the UN Guiding Principles on Business and Human Rights, and under international human rights law more generally, international financial institutions and business enterprises have a responsibility to respect all internationally recognized human rights, including in the context of climate change. This includes that they should avoid infringing on human rights by taking proactive steps to identify, prevent, mitigate and address adverse impacts with which they are involved, including impacts resulting from climate change.

Without wishing to prejudge the accuracy of the information received, we would like to express our most serious concern regarding the adverse impacts on human rights caused by activities such as the exploitation of fossil fuels which contribute to climate change. Under the UN Guiding Principles on Business and Human Rights, and under international human rights law more generally, States have an obligation to protect all internationally recognized human rights, including in the context of climate change.

We note that the International Court of Justice, in its 2025 Advisory Opinion on State obligations on climate change, stressed “that States have an obligation under international human rights law to respect and ensure the effective enjoyment of human rights by taking the necessary measures to protect the climate system and other components of the environment” and the failure to do so including through the production of fossil fuels, the consumption of fossil fuels, the granting of licenses for fossil fuel exploration, may constitute an international wrongful act. We understand this to mean that each AfDB member state has its own stringent climate change due diligence obligations under customary international law, the United Nations Framework Convention on Climate Change, the Paris Agreement, the Law of the Sea, and/or human rights treaties that apply not only to the adoption of policies and their

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<sup>1</sup> Following these allegations, debate was reignited in the Dutch Parliament over the Netherlands' involvement in the LNG Area 1 project led by TotalEnergies, and specifically the credit insurance policies issued by Atradius Dutch State Business (ADSB) in 2021 to companies involved in the project.

amendments at AfDB, but also on an ongoing basis to AfDB's financing and guarantee decisions, supervision of its investments, and proactively in ensuring the legal adequacy of its policies and operations.

We also note that in her 2025 report on the imperative of defossilizing our economies (A/HRC/59/42), the Special Rapporteur on the promotion and protection of human rights in the context of climate change clarifies States' obligations and businesses' responsibilities to phase out fossil fuels across their full life cycle, including extraction, production, transport and use, within this decade as fossil fuel extraction causes severe, interlinked and widespread human rights impacts throughout its life cycle, including toxic pollution, ecosystem degradation and climate harm. Continuing to approve or finance new fossil fuel projects exceeds the remaining carbon budget compatible with 1.5°C, rendering such projects incompatible with the protection of human rights. The Special Rapporteur explicitly rejects narratives that gas should be treated as a "transition" or "bridge" fuel where it results in new upstream investments or long-term locking, emphasising that such framing delays effective climate action and entrenches human rights harm. States and businesses must refrain from enabling new fossil fuel extraction, including gas, because doing so predictably undermines the right to a clean, healthy, and sustainable environment.

Under the United Nations (UN) Guiding Principles on Business and Human Rights financial institutions must identify, prevent and mitigate human rights risks linked to their financing activities, including when harms are indirect or cumulative. Financial institutions can be directly linked to adverse human rights impacts through their business relationships (such as through the provision of financing); they can also contribute to human rights harm through their own operations and actions. Further, the Office of the United Nations High Commissioner for Human Rights has issued statements indicating that if a bank identifies, or is made aware of, an ongoing human rights issue that is directly linked to its operations, products or services through a client relationship, yet over time fails to take reasonable steps to seek to prevent or mitigate the impact, it can be viewed as enabling the situation. The Organisation for Economic Co-operation and Development (OECD) Guidance on Due Diligence for Responsible Corporate Lending and Securities Underwriting further states that where a bank is directly linked to an adverse human rights impact through a client, it still has a responsibility to prevent or mitigate the impact, and that "[w]here the adverse impacts are directly linked to a bank's lending or securities underwriting through a client, it should also use its leverage to seek to prevent and mitigate those impacts". This approach has been applied by the OECD National Contact Points recognizing that a financial institution, through investing in a business enterprise, was directly linked to potential adverse human rights impacts by its relationship with that business enterprise.

We are also concerned that the AfDB's continuing support for an upstream gas project contradicts climate and human rights alignment commitments and diverts scarce public finance away from renewables and adaptation. The 2023 report of the UN Working Group on Business and Human Rights on development finance institutions (DFIs) and human rights (A/HRC/53/24/Add.4) highlights that DFIs, including MDBs, have heightened responsibilities due to their public mandates, leverage and State backing. The report emphasises that DFIs must avoid financing activities that foreseeably result in human rights harm, even where host State regulation is weak. In

that regard, climate-related harms and environmental degradation fall within the scope of adverse human rights impacts.

In addition, while the Mozambique LNG Area 1 and FLNG projects are different in numerous material respects, any possible linkage between the military and the FLNG project would be a matter of the utmost concern. This could be the case, for example, where project security arrangements involve those credibly accused of human rights violations, and/or where project revenues directly or indirectly inure to their benefit.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please indicate the steps that AfDB takes to determine whether it may be contributing or directly linked to human rights abuses as a result of its lending activities or through business relationships.
3. Please provide information on AfDB's policy regarding investment in upstream fossil fuels, and measures taken to ensure that AfDB's operations are aligned with the Paris Agreement as interpreted by the International Court of Justice in its Advisory Opinion on Climate Change. Did AfDB's assessment of this investment's alignment with the Paris Agreement, if any, include all future emissions likely to be associated with the project (scope 1, 2 and 3)?
4. Please indicate whether participation from local communities, including women and populations in vulnerable situations in coastal areas, was meaningfully integrated into the impact analysis and consultation processes prior to the project approval. Please provide information on any identified risks or mitigation measures related to gender-differentiated impacts, displacement, loss of livelihoods, or security-related human rights concerns, and how these were assessed and addressed in compliance with AfDB's Integrated Safeguards System.
5. Please provide information on the steps taken to ensure that AfDB respects human rights in line with the UN Guiding Principles on business and human rights, including by conducting human rights due diligence to prevent, mitigate and remediate the adverse climate change-related and other human rights impacts that AfDB may cause or contribute to through its own activities, or which may be directly linked to its operations, products or services by its business relationships. As part of this response, please indicate whether the AfDB conducted human rights

due diligence to assess that the FLNG project is not linked to human rights abuses, including actors credibly associated with human rights violations reported in connection with the Mozambique LNG Area 1 project.

6. Please provide information on what measures were taken, including any contractually binding requirements, to ensure that energy from the FLNG project will benefit local consumption and jobs, particularly the poorest, as distinct from the export market.
7. Please provide information on how the AfDB justified the financial contribution (150 million USD) to this project, in the context of its expected 7 billion USD cost, as opposed to investing in sustainable, transformative pro-poor projects in Mozambique, and/or investments supporting the country's renewable energy potential, consistent with the Paris Agreement as interpreted by the International Court of Justice in its Advisory Opinion on Climate Change and international human rights obligations of the Government of Mozambique.
8. Please provide information on steps to make AfDB's Independent Recourse Mechanism known to people who may be adversely impacted by the Coral North FLNG Project, and on steps taken by AfDB to ensure that the client has an effective operational-level grievance mechanism in place, in line with the UN Guiding Principles, to effectively address the adverse climate change-related and other human rights impacts that may be caused by the project.

This communication, and any response received from your organization will be made public via the communications reporting [website](#) at the 60 days mark. Should your organization respond within 60 days, both the communication and the response, may be published before the 60 days mark. The communications and responses will also be made available in the subsequent periodic report to be presented to the Human Rights Council.

While awaiting a reply, we urge the AfDB to pause its financing of the Coral North LNG Project.

We may publicly express our concerns in the near future as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with your organization to clarify the issue/s in question.

Please be informed that a letter on this subject matter has also been sent to the Republic of Mozambique, as well as copies to the companies Eni S.p.A, ExxonMobil Corporation and TotalEnergies SE.

Please accept, Mr. Ould Tah, the assurances of our highest consideration.

Damilola S. Olawuyi  
Chair-Rapporteur of the Working Group on the issue of human rights and  
transnational corporations and other business enterprises

Elisa Morgera  
Special Rapporteur on the promotion and protection of human rights in the context of  
climate change

Astrid Puentes Riaño  
Special Rapporteur on the human right to a clean, healthy and sustainable  
environment

Paula Gaviria  
Special Rapporteur on the human rights of internally displaced persons

## Annex

### Reference to international human rights law

In connection with above alleged facts and concerns, we would like to highlight the UN Guiding Principles on Business and Human Rights (A/HRC/17/31), which were unanimously endorsed by the Human Rights Council in June 2011, are relevant to the impact of business activities on human rights. These Guiding Principles are grounded in recognition of:

- (a) “States’ existing obligations to respect, protect and fulfil human rights and fundamental freedoms.
- (b) The role of business enterprises as specialized organs or society performing specialized functions, required to comply with all applicable laws and to respect human rights.
- (c) The need for rights and obligations to be matched to appropriate and effective remedies when breached.”

The Guiding Principles also make clear that businesses have an independent responsibility to respect human rights. Principles 11-24 and 29-31 provide guidance to companies on how to meet their responsibility to respect human rights and to provide remedies where they have caused or contributed to adverse impacts. The Guiding Principles have identified two main components of the corporate responsibility to respect human rights, which require business enterprises to:

- a) Prevent their own activities from causing or contributing to adverse human rights impacts and address those impacts when they occur.
- b) Seek to prevent or mitigate adverse human rights impacts directly related to operations, products or services provided through their business relationships, even where they have not contributed to those impacts” (guiding principle 13).

The commentary to guiding principle 13 notes that businesses can be affected by adverse human rights impacts, either through their own activities or as a result of their business relationships with other parties (...) The 'activities' of business enterprises are understood to include both actions and omissions; and their 'business relationships' include relationships with business partners, entities in their value chain and any other non-State or State entities directly linked to their business operations, products or services.

To meet their responsibility to respect human rights, businesses should have in place policies and procedures appropriate to their size and circumstances:

- a) A political commitment to uphold their responsibility to respect human rights.

- b) A human rights due diligence process to identify, prevent, mitigate and account for how they address their human rights impact.
- c) Processes to redress any adverse human rights impacts they have caused or contributed to (guiding principle 15).

According to guiding principles 16-21, human rights due diligence involves:

- a) Identifying and assessing actual or potential adverse human rights impacts that the enterprise has caused or contributed to through its activities, or that are directly related to the operations, products or services provided by its business relationships.
- b) Integrate the results of impact assessments into relevant business functions and processes, and take appropriate action in accordance with their involvement in the impact.
- c) Monitor the effectiveness of the measures and processes adopted to address these adverse human rights impacts in order to know whether they are working.
- d) Communicate how adverse effects are addressed and demonstrate to stakeholders - particularly those affected - that appropriate policies and processes are in place to implement respect for human rights in practice.

This process of identifying and assessing actual or potential adverse human rights impacts should include substantive consultation with potentially affected groups and other stakeholders (guiding principle 18).

Where an enterprise causes or is likely to cause an adverse human rights impact, it should take the necessary steps to end or prevent that impact. The establishment of operational-level grievance mechanisms for those potentially affected by corporate activities can be an effective means of redress provided they meet certain requirements listed in principle 31 (guiding principle 22).

Furthermore, business enterprises should remedy any actual adverse impact that they cause or to which they contribute. Remedies can take a variety of forms and may include apologies, restitution, rehabilitation, financial or non-financial compensation and punitive sanctions (whether criminal or administrative, such as fines), as well as the prevention of harm through, for example, injunctions or guarantees of non-repetition. Procedures for the provision of remedy should be impartial, protected from corruption and free from political and other attempts to influence the outcome (commentary to guiding principle 25).

In its report A/HRC/53/24/Add.4, the Working Group and OHCHR have reiterated that the corporate responsibility to respect human rights under the Guiding Principles applies to financial institutions (both public and private) and their clients. Further to this, pillar II of the Guiding Principles requires financial institutions to make a policy commitment to respect human rights, carry out human rights due diligence and

provide for, or cooperate in, remediation where the financial institutions identify adverse impacts that it has caused or to which it has contributed.

The right to an effective remedy for human rights abuses is a central tenet of human rights law and is reflected in pillar III of the Guiding Principles, which focuses on remedy for victims of business-related human rights harms.

Guiding principle 22 provides that where an enterprise causes or is likely to cause an adverse human rights impact, it should take the necessary steps to end or prevent that impact. “The establishment of operational-level grievance mechanisms for those potentially affected by corporate activities can be an effective means of redress provided they meet certain requirements listed in principle 31”. In its report A/HRC/53/24/Add.4, the Working Group clarifies that the Guiding Principles require financial institutions to contribute to provide access to remedy if they have contributed to the harm.

In connection with above alleged facts and concerns, we would like to bring to your attention the Advisory Opinion of July 2025 of the International Court of Justice on States’ obligations in respect of climate change. The Court highlighted that States may be responsible for the conduct of private actors resulting in emissions of greenhouse gases where, for example, it has failed to exercise due diligence by not taking the necessary regulatory, legislative and monitoring measures to limit the quantity of emissions caused by private actors under its jurisdiction (paragraph 428).

Further, international financial institutions have the obligation under customary international law, as well as their respective constituent instruments, to avoid supporting development projects that result in high greenhouse gas emissions and pose climate risks. This is reinforced by the fact that international financial institutions, including AfDB, have voluntarily committed to align their operations with the objectives of the Paris Agreement. Additionally, member States of international financial institutions have obligations both under treaty and customary international law, to exercise their voting powers such that development projects dependent on fossil fuels are not financed while those aimed at a clean and just energy transition are supported.

Finally, we would like to highlight that the Special Rapporteur on climate change in A/HRC/59/42 indicated that international financial institutions and development finance institutions should prioritize funding for defossilization, and refrain from funding any project that contributes to fossil fuel lock-in.